THE TANJORE MAHARAJA SERFOJI'S SARASWATI MAHAL.

THE

ASIATIC ANNUAL REGISTER;

OR,

A VIEW OF THE HISTORY

OF

HINDUSTAN,

AND OF THE

POLITICS, COMMERCE, AND LITERATURE

OF

ASIA,

VOL. X.—for the Year 1808.

LONDON:

PRINTED FOR T. CADELL AND W. DAVIES, (BOOKSELLERS TO THE ASIATIC SOCIETY) IN THE STRAND; AND BLACK, PARRY, AND KINGSBURY, (BOOKELLERS TO THE HONOURABLE THE EAST-INDIA COMPANY) IN LEADENHALL-STREET.

1811.

RETURN of the effective Strength of his Majesty's Regiments serving in INDIA, exclusive of CEYLON, on the 1st January, in each year, from 1793 to 1807, inclusive; specifying the Dates of their Embarkation for INDIA, and also the Dates of their Disembarkation in GREAT BRITAIN, as precisely as can be ascertained.

Adjutant General's Office, 28th April, 1808.

REGIMENTS.	REMARKS, Stating the Date, &c. of Embarkation for India.	1st of January, 1793.	1st of January, 1794.	1st of January, 1795.	1st of January, 1796.	1st of January, 1797.	1st of January, 1798.	1st of January, 1799.	1st of January, 1800.	1st of January, 1801.	1st of January, 1802.	1st of January, 1803.	1st of January, 1804.	1st of January, 1805.	1st of January, 1806.	1st of January, 1807.	REMARKS, Stating the Date, &c. of the Embarkation of certain Regiments from India.
8th Light Dragns.	Embarked for India from the Cape of Good Hope by divisions, at the following periods, viz. 13th Sept. 1802, 2d & 3d Nov. 1802, and 20th Feb. 1803.	- - -	- - -	...	...	...	...	...	...	...	...	...	634	532	510	504	
19th Do. - - - -	Embarked in February 1782. - - - -	400	386	366	343	342	407	439	397	391	385	389	390	359	425	...	The 19th Lt. Dragoons embarked from Madras on the 20th Oct. 1806, and arrived in England in April, 1807.
22d Do. (late 25th)	Embarked from Europe in March 1796. - -	- - -	- - -	...	...	426	380	441	389	367	400	489	467	435	436	683	
24th Do. (late 27th)	Embarked from Europe in May 1796. - - -	- - -	- - -	...	...	...	341	365	416	380	393	414	371	287	269	511	
25th Do. (late 29th)	Embarked from Europe on 25th March 1798. -	- - -	- - -	...	...	...	...	314	371	343	395	451	429	295	288	701	
10th Foot - -	Embarked from England on 25th August 1798, and arrived in India in April 1799.* - -	- - -	- - -	...	...	..	...	...	842	...		...	...	...	...	...	In April 1801, the 10th Foot proceeded with the Troops under the orders of M. Genl. Sir D. Baird to Egypt.
12th — - - -	Embarked from Europe, 8th June 1796. -	- - -	- - -	...	...	...	809	806	650	648	522	612	579	636	687	665	
17th — - -	Embarked from Portsmouth on 4th July 1804, and arrived at Bengal on 4th December 1804. -	- - -	- - -	...	...	...	...	...	...	...	...	...	...	993	1,036	932	
22d — - -	Embarked for India from the Cape of Good Hope in September, October & November 1802.	- - -	- - -	...	...	...	...	...	...	...	...	...	894	882	777	789	
33d — - - -	Embarked from Europe, April 1796. - -	- - -	- - -	...	...	...	843	848	675	575	615	613	564	546	732	708	
34th — - -	Embarked for India, from the Cape of Good Hope, in November and December 1802, and in February 1803. - - - -	- - -	- - -	...	...	...	...	...	...	...	...	...	976	1,030	998	955	
36th — - -	Embarked on 10th March 1783, from England -	608	592	546	592	595	553	...	...	...	...	...	...	...	...	...	The 36th regt. drafted 427 men to the 76th regt. and the remainder embarked for Europe in October 1798, and arrived in the Downs in July 1799.
51st — - -	Embarked from Lisbon on 2d October 1798, and arrived in India in April 1799.† - -	- - -	- - -	...	...	...	...	...	463	...	...	...	...	...	...	...	
52d — - - -	Embarked on 11th March 1783, from England.‡ -	658	596	533	...	639	499	...	...	...	...	...	...	...	...	...	The 52d regt. drafted 391 men to other corps in India in February 1798, and the remainder, consisting of 106 rank and file, embarked for Europe, and arrived in the Downs in August 1798.
53d — - -	Embarked from Portsmouth on the 20th April 1805, and disembarked at Madras on 23d August 1805.	- - -	- - -	...	...	...	...	...	...	...	...	...	...	...	770	841	
56th — 1st Battn.	Embarked from the Isle of Wight on 11th & 14th April 1805, and disembarked at Bombay on 12th August 1805. - - - - -	- - -	- - -	...	...	...	...	...	...	...	...	...	...	...	924	837	
59th — - - - -	Embarked at Portsmouth on 9th July 1805, and arrived at Madras on the 24th of April 1806. -	- - -	- - -	...	...	...	...	...	...	...	...	...	...	...	...	807	
65th — - - -	Embarked from the Cape of Good Hope in Sept. 1802 and Feb. 1803, and arrived at Ceylon in April 1803, from whence it embarked for Madras in February 1804.	- - -	- - -	...	...	...	...	...	...	...	...	..	...	586	453	418	
67th — - - -	Embarked from Portsmouth on 22d April 1805, and disembarked at Bengal on 15th September 1805.	- - -	- - -	...	...	...	...	...	...	...	...	...	...	...	942	1,191	
69th — - - -	Embarked from Portsmouth on 23d Feb. 1805, and disembarked at Madras on 18th July 1805. -	- - -	- - -	...	...	...	...	...	...	...	...	...	...	...	934	777	
71st — - - - -	Embarked 22d January 1781, from England - -	681	659	572	609	647	...	...	...	...	...	...	...	...	...	...	In the month of October 1797, 485 men of the 71st regiment were drafted to other corps, and the remainder 122 men, embarked for England.
72d — - - - -	Embarked in January 1779 from England . -	760	729	702	...	...	...	...	...	...	...	...	...	...	...	...	This Regt. left Madras in July, 1795, and proceeded to Trincomalee; it returned to Madras at the beginning of the year 1797, and after drafting 513 men to other Corps, 77 men embarked for Europe in Dec. 1797, and on 15th Feb. 1798.
73d — - - - -	Embarked in January 1779.§ - - - -	587	541	504	507	...	790	785	679	636	626	657	614	548	...	...	This regt. embarked from Madras on 8th Sept. 1805, and arrived in England in June, 1806.
74th — - - -	Four Comps. embarked on 26th March 1788 / Six Do. Do. 11th Feb. 1789 -	673	647	597	596	864	789	759	634	655	662	679	453	262	...	...	The 74th regt embarked at Madras for Europe on the 8th Sept. 1805, and arrived at Portsmouth in Feb. 1806.
75th — - - - -	Embarked 25th March 1788. - - - -	485	462	441	444	425	486	835	722	675	614	602	469	534	643	...	The 75th regt. embarked from Bengal for Europe on the 19th Sept. 1806, and arrived in England 15th April, 1807.
76th — - - - -	Embarked 26th March 1788 - - - -	461	437	392	335	308	295	815	775	819	889	940	739	762	75	...	The 76th regt. embarked at Madras for Europe on 10th Feb. 1806, and arrived in England on 23d July, 1806.
77th — - - - -	Embarked 28th March 1788. - - - -	585	522	499	494	466	451	831	739	676	615	625	577	565	708	702	
78th — - - -	Embarked from Europe in March 1796, and arrived in India in the beginning of the year 1797.	- - -	- -	...	...	...	998	930	870	830	772	795	611	544	459	666	
80th — - - -	Embarked from England in April 1796, and arrived at Ceylon at the beginning of 1797, and embarked from Ceylon in June 1801 for Bombay.	- - -	- - -	...	...	...	...	...	...	...	750	795	713	773	742	700	
84th — - - -	Embarked from the Cape of Good Hope on 26th Oct. 1798, and arrived in India in Feb. 1799. -	- - -	- - -	...	...	...	...	...	940	63	905	745	724	608	619	799	
86th — - -	Embarked from the Cape of Good Hope on 19th Feb. 1799, and arrived in India in April 1797.	- - -	-	...	...	...	...	...	857	794	785	851	662	603	490	436	
88th — - - -	Embarked from Portsmouth in Dec. 1798, and arrived at Bombay in June 1799. - - -	- - -	- - -	...	...	...	...	...	511	...	...	...	...	...	...	...	Embarked for Ceylon in Dec. 1800, and returned to Bombay in Jan. 1801, and immediately afterwards proceeded to Egypt with Sir D. Baird.
94th — - - -	Embarked from the Cape of Good Hope on 26th Oct. 1798, and arrived in India in January 1797.	- - -	- - -	...	...	...	...	...	768	791	845	911	770	584	819	933	
De Meuron's	It is understood, that this Regiment was in India at the period of its being first received into the British Service. - - - - -	- - -	- - -	...	...	812	763	729	629	596	610	555	515	505	296	...	The regt. De Meuron embarked from Madras on 10th Feb. 1806, and arrived in England, in July, 1806.

* Embarked for Ceylon in November, 1800, and returned to Bombay in March, 1801. † Embarked for Ceylon in February, 1800.

‡ This regiment appears, by the Return, dated 1st February, 1796, to have quitted Madras, and to have proceeded to Ceylon. It returned to Madras in the course of the year 1797.

§ This regiment appears, by the Returns, dated 1st Oct. 1795, to have arrived at Trincomalee, and by the Return, dated 1st March, 1796, to have returned to the Presidency of Madras.

HARRY CALVERT, A. G.

PREFACE.

The interruption of the correspondence with India, during a great part of the interval embraced by the succeeding sheets, from the long and melancholy list of missing Indiamen, has caused not only a delay in the publication of the present volume, but has rendered the local information contained in it less complete. The detail of Asiatic Occurrences, which always forms a prominent feature of this Work, will be found, however, as little unbroken as circumstances would allow; while it supplies the loss of some particular links, in the chain of events, recorded in the preceding Volume, occasioned by the same unfortunate cause, which has been already described in its operation upon this.

It is the attempt of the present Volume to

conduct the Reader through a larger period of the passing History of India than usual; through a space of Eighteen, instead of the ordinary circle of Twelve months; making all practical amends for the deficiency, in the extended application of our materials; thus remedying, as far as it admits of remedy, a present evil, and obviating, in a degree, what we are obliged to confess, a long-subsisting complaint; namély, that the work has not proceeded with activity and celerity enough to satisfy the curiosity or the interest of the Public.

The Volume, now opened by the Reader, unfolds a digested Account of Indian Transactions from the middle of the year 1807, at which date the last volume closed, to the end of the year 1808, disposed in a different order than has heretofore been observed, capable of easier reference. In this respect alone is there any deviation from the original plan. From the length of the Chronicle, and the Debates in Parliament, some of the common divisions of the Register have been consequently limited or abridged.

It would be foreign to the present purpose, and, perchance, beyond the province of the Preface, to remark, how the separate Departments of the Undertaking have been, on this occasion, executed. On these the reader must form his own judgment, and pronounce the sentence.

Of the intentions of those, to whom the future conduct of the work is confided, it will be sufficient to say, that the Chronicle of Occurrences will hereafter be preceded by two or more Chapters; the one, presenting a history of recent events in different parts of British India, and the Countries contiguous to, or connected with it; and the other, an account of discussions and regulations at home, originating at the India-House or in Parliament, having relation to our Asiatic Establishments. When the occurrences of the year shall be few or unimportant, and the historical account of them necessarily confined, the Editor will endeavour to fulfil previous engagements, by the continuation of certain portions of Indian History, commenced, but left unfinished, by his Predecessors.

The next Volume, which is in a state of forwardness, will contain the particulars of the war in Travancore, and of the Dissensions in the Army on the Coast of Coromandel, with other interesting matters, incident to the year 1809. The Register for 1810, if no unforeseen impediments occur, will be given to the public at the close of 1811, and a volume will thenceforward be published at the commencement of every year.

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MAHARAJA SERFOGI'S ... THE TANJORE ... MAHAL

HISTORY.

Compendium of the Modern Persian History, *from the commencement of the* 18*th century.*

CHAPTER I.

Introduction to the state of Persia before and under the reign of Shah Hussein; he is dethroned by the Afghans; Shah Tahmas; Mahmood; Esheref; Naddir makes himself known under the sur-name of Tahmas-kouli Khaan; restores Shah Tahmas; dethrones him, puts his son in his place for a time; at length mounts the throne himself, under the title of Naddir Shah; is desirous of changing the national religion; invades Hindostan; returns with immense wealth, the plunder of Delhi; makes war against the Turkmans, Ouzbek Tâtars, and Lesghis; disgusts the Persians; a forced levy of troops, and excessive taxation; makes war against Turkey without success; perpetrates cruelties; he is murdered.

Jealous of our commercial wealth and greatness, it has been long the undisguised policy of the French cabinet, to abridge the means of our intercourse with foreign states, and the extent, so far as it is assailable, of our external possessions. Every art employed, every stratagem devised by it, to destroy the faith and credit of Britain, and to exclude her commerce and manufactures from the different states of Europe, it is not in this place necessary to enumerate; neither are we required to recount the good or ill fortune attendant on these successive attempts. The envious and ambitious spirit, that now directs the councils and rules the destinies of France, has not confined itself to passive intrigue, or to a limited field of operation, but has decided on measures of activity, and has already pushed its advances from the western to the eastern continent, from the modern to the ancient world.

India seems to have been coveted in that proportion, as it has been the more remote from the possession of France. She has been driven, in recent times, from every strip of land, which a French foot has ever paced, and with her anxiety to regain what she has lost, and her ambition of acquirement, she mixes her hatred of our success. One of the darling and declared objects of her policy has been, and is, the meditated destruction of the interest of Britain, through her vast and splendid establishments in the east. With this view private spies and public functionaries have been dispatched to the court of Isfahan, and even an organized military staff has been commissioned and sent to the Persian capital, for the avowed purpose of forming and disciplining the national troops. The care exhibited, and the expense incurred in these plans and preparations, indicate, that in the local position, and the physical and artificial power of France, her means of communication with the British possessions in India, can be derived only through the medium of Persia,

sia, and that without this key to the gates of our eastern territories her access must be forbidden.

That the policy of France is neither unnatural nor unwise, the precautions of our foreign and domestic governments sufficiently demonstrate. Flattering overtures have been made to the king of Persia; and embassies have been sent without number, wave succeeding wave, from Calcutta, and almost every port of India, to the presence of the "great king;"—so that our ambassadors have literally jostled and incommoded one another in the course of their respective errands. Martial equipments, too, have been fitted out with great pomp and splendour to support the figure of our civil courtesies and diplomatic demonstrations. A race, as it were, has been ran by the East India company's and his majesty's ministers, in friendly contention, to allure the attachment of the Persian monarch to our cause, and his attention to our interests. He has been courted with all the fervency of an ardent love, stimulated by the knowledge of an existing rival. He has at length yielded to addresses, [for what can resist such approaches?] moved with constancy and plied with vigour. An interchange of public ministers has been the consequence. At this very moment, inexplicable as may appear the state-necessity or polity of such a measure, there is a royal and a mercantile representative at the Persian court, clothed each of them in the gorgeous trappings of diplomacy; and a third ambassador extraordinary, Sir Gore Ousely, is moving towards the same point, in a ship of war, appointed expressly to that service. These curious and unexampled details, though they can hardly be mentioned with gravity, shew the serious importance placed at this juncture in the friendship of our new ally.

It is not too much to expect, from the consequence attached to these preliminary acts of alliance, that Persia may become a principal actor once more in the scene of Asiatic events; or rather the theatre for the display of actions, generally interesting to the Indian and European observer.

This great and well-known empire, after having been exalted to the height of human grandeur and fame, and depressed to comparative insignificance and neglect, is seemingly about to be raised, by the effect of revolution and change, to which the world and all its affairs are subject, from the depth of obscurity, and placed again in the sun-shine glare of observation; where its concerns may attract the eye of the historian, and its progress be traced, in all its various windings, from the semi-barbarism into which it has been suffered to relapse, to the re-establishment of its character in civility and science.

It will be our endeavour, though authentic historical records be wanting, to give a rough and hasty outline of the most striking events in Persian annals, from the pages of the modern traveller, who has occupied, though he may not, perhaps, have cultivated, the deserted province of the historian. The sketch, now in the reader's hand, purports to describe a connected series of occurrences from the year 1694, to the year, A. D. 1800, and aims to supply the chasm, the wide, and, for some time, the impassable boundary, between the old and the new confines of Persian history.

Although

Although Persia,* under the dynasty of Seffi (Sophi) had not a population equal to its extent, although it was but a heterogeneous concourse of discordant parts, and enveloped the seeds of anarchy and rebellion, still, if the concurring relations of intelligent travellers may be credited, this empire then enjoyed a sort of prosperity within itself, and was externally considered with respect; while its boundaries had become so extended, that, from the Indus to the Tigris,† from the Caspian to the Erythraean‡ waters, all acknowledged the sway of the Persian kings.

The cities of Persia hardly yielded, the pre-eminence to those of Europe in point of beauty and luxury. Agriculture, that first source of public prosperity, was flourishing, and its productions varied and abundant. By dint of labour and expense the Persians had accomplished the irrigation of their arid plains, and artificial streams every where compensated for physical

* Correctness is so desirable an aim, that the writer hopes his endeavours to adhere as closely as possible to vernacular denominations, throughout this memoir, will not subject him to the imputation of pedantry and affectation. He therefore avails himself thus early of the occurrence of a proper name, to put himself right with the reader on this point, once for all. Travellers, in treating of countries they have seen, are in the habit, and often under the necessity, of using words of the national language, particularly in rendering the proper names of people, men, cities, rivers, &c.: hence the defective ear or careless orthography of such travellers become fruitful sources of disorder in nomenclature: this first departure from accurate spelling is subject again to fresh anomaly under the pens of translators, according to the idiom and character of the respective languages. Although the name to which this note is affixed is not one with which any liberties are taken in the text, it is nevertheless to be observed that no such name is used in the country we apply it to. A single province, indeed, of Persia, is called *Fars*, which the Greeks seem to have taken for the whole, and handed down to us, subject to the usual mutation of F. into P. The national appellation is *Adjem*, or *Adjem-estân*; of which perhaps the philologist will recognize some traces in *Achaemen-ides*. In order not to distract the reader's attention by redundancy of annotation, he is desired to bear in mind that *â* represents that vowel as broad in *awl*, or *Aaron*; that *kh* stands for the guttural *ch* in the German *ich*; or for the strong aspiration of the Spanish *j*; that *i* has nearly the power of *y*; that *au* is to be sounded like *o* in how, and *û* more like that letter in *ruler* than in *Cupid*; where *ou* occurs it is to be pronounced like *oo* in *cool*; and *eh* is invariably used for the French *e* or for the English *ey* as in *whey*. G is generally hard, as in *game*: for its softer sound in *bridge*, *j* or *dj* is generally substitued; but sometimes *dsh* when final.

† The name of this river, as well as that of its twin-brother, equally celebrated, have reached us under a classical metamorphosis, similar to what has been alluded to in the preceding note. Under that *caveat* therefore let it be understood that the real name of the Tigris is *Didjel*, and that of the Euphrates, *Afrat*: after their confluence below Korna they take the name of *Shat-el Arab*, that is to say, "River of the Arabs:" which is the *Pasitigris* of Greek authors; the *Sinthus* of Arrien, See *Peripl. Mar. Erythraei*. p. 21.

‡ Strabo and Arrien give the name of Erythraean to all that portion of the ocean betwee Bab-el, Mandeb, and Hindostan, (comprehending both the Arabian and Persian gulfs.) Herodotus. (ii. 149) applies it sometimes to the former, but oftener to the latter. Nearchus, the first known navigator of these waters, always names the Persian gulf *Mare Erythraeum*. This denomination is derived from a certain king, *Erythras*, who reigned over the Isles in the gulf, and is interred in one of them, *Oaracta*, where Nearchus saw his tomb. A difference of opinion as to the identity of this Island has existed amongst ancient and modern Européans: but the accuracy of Nearchus, demonstrated by Niebuhr, hardly leaves a doubt that *Oaracta* can be any other than the Island denominated by mariners Kishma, by the Arabs, *Jezireh* Tauileh, and by the Persians *Jezireh* Diâs.

sical privation. Most of the useful arts had approached perfection, and some of those, usually denominated ornamental, had made sensible progress under the patronage of *Shah Abbas* I. and of his immediate successors. Commerce, in general, owed much to the protection of that king; but it derived particular encouragement from loans of money advanced to the Armenian families, with which he colonized one of the suburbs of the capital.* If their progress in the military art could not be compared with the proficiency of Europeans, the Persians surpassed, or at least equalled, in that art, all the neighbouring nations who could molest them. Navigation was but little honoured or encouraged; abandoned to the poorest and most ignorant classes, it was a mere profession of routine; an art without science, without principles; it nevertheless sufficed for a considerable commercial intercourse with Arabia, and to protect the tranquillity of the southern coasts. The empire, in a word, was highly civilized, and in a state of improvement.

This was the situation of Persia in 1694, when Hussein ascended the throne. His father, Suleyman, had been cruel, vindictive, and unjust; prone to sensual excess, negligent of affairs, and blindly led by evil counsellors and favourites. *Shah* Hussein, in the bloom of youth, gave every hope of a long and happy reign. A prepossessing countenance, a mild disposition, and a character of clemency, (manifested by disapprobation of his father's severe punishments) had favourably disposed the whole nation towards him.

This happy dawn, was, however, soon overclouded. Under a pure despotism, when the monarch, too feeble to govern by himself, abandons the reins to ambitious place-hunters; when he acts only by the impulse of dexterous sycophants; if he himself is not tyrannical, those to whom he confides power become tyrants.

It has been for some time the fashion, in our happy and opinionated country, to regard all the evils arising from despotism as insignificant, compared with the abuse of liberty; or, at least, to imagine that compared with the licentiousness of the multitude, there is little mischief to be apprehended from the mis-rule of a monarch. Indeed, it is not easy for Englishmen to form a notion of things so foreign to their habits; hence it is useful to refer to the annals of those countries, where the evil exists in all its deformity, and to derive instruction from example exempt from painful experience.

The weakness of mind in Shah Hussein was as woful a scourge to the state as the vices of his father. This weakness was accompanied by prodigality: the regular imposts, becoming no longer equal to extraordinary expenditure, recourse was had to violent expedients; taxation led to extortion, and the public ceased to view their sovereign, except through the distorted medium of fiscal oppression.

This state of things was not of a nature to last. The Afghans of Kandahar shook off the yoke, and marched upon Kerman. The Abdallis slew the governor of Herat, and made themselves masters of the city. The Arabs of Maskat†

* The quarter so colonised was Julfa, the most considerable suburb of Isfahân, lying south of the city on the right bank of the river Zenderou.

† Maskat, or Muskat, is the emporium of Oman. It is situated, according to the best accounts, in lat. 23° 27 N. and long. 12° W. of Bombay—and well fortified by nature as well as art.

possessed

possessed themselves of the isles of Bahrein,* and made incursions into the south of Persia. The Kurds† united in the plain of Ammadan, menaced that city, and even dared to advance up to the very gates of Isfahan. The Ouzbeks and Turkmans,‡ warlike and ferocious tribes, overspread the provinces to the east and south-east of the Caspian, ravaging the Khorassan, and the environs of Aster-abâd. The Lesghis no longer receiving the customary subsidies, as the price of peace, rose up in arms, and carried trouble and desolation into Georghestân§ (Georgia) Daghestan, Shirvan, and other countries laying between the Black and the Caspian seas. Thus, in the space of a few

* The situation of the Isles of Bahrein seems well determined on D'Anville's map: but it is not easy to guess how that group has acquired this name amongst strangers, for it signifies "two seas," and the Arabs, on the opposite coast of Lahsa, call the principal Island Awal: and Abulfeda (Descrip. Arabiae, p. 9) says *praeteritis littoribus Mahrae, proficscetur ad Omân et peninsulam Awal et Alcatif, &c.* It is true that, according to this Latin translation, the Peninsula of Awal does not signify the Isle of Bahrein: but in the original there is the word *Jezireh*, an Island: so that it should seem this faulty translation misled D'Anville when he gave the name of Awal to the land of Ser. During these last ages Bahrein has had several masters: first the Portuguese; when they were driven from the Persian gulf, it fell to the Sheik of Lahsa, who was obliged to surrender it to the Persians, under Imam-kouli *Khân*: then the Imam of Oman laid hold of it: but yielded it again to the Persians for a sum of money. During and after the troubles in Persia, produced by the irruption of the Afghans, it underwent various vicissitudes, and it fell alternately to the lot of Persian or of Arab proprietors. When Niebuhr travelled in those regions (1765) it was dependent on the Sheik of Bender-Abousher (Bushir.) The pearl fishery hereabouts is celebrated and still productive.

† The Kourds form a nation, whose different tribes were extensively spread over lower Asia, particularly during the last century. Their original country is the chain of mountains, whence arise the different sources of the Tigris, and which, after accompanying, for some distance, the upper course of the greater Zab, take a southern direction along the frontiers of Irrak-Adjemi. In modern geography this country has the vernacular designation of Kourd-*estân*. It is fertile in grain, flax, sesam, rice, and pasturage, producing also nut-galls and some silk. Volney says, that it is mentioned in the most ancient traditions, and histories, of the east; and the *Gord*ouch mountains are made by legendary writers, the theatre of mythological events. Strabo, (xi.) says, the Niphates, and its chain, are called *Gord*onœi: and the circumstances of position establish the identity of Gord and Kourd, in addition to auricular proof. These Kourds are the same who are described by Xenophon to have opposed the retreat of the ten thousand Greeks, under the name of *Card*uchii. That historian observes, that although hemmed in on every side by the Persians, they had always braved the power of the "great king," and of his *satrapes*. They seem to have changed but little in their modern state; for, although in appearance tributary to the Othmans, they shew little respect to the *fermaans* of the sultan, or the jurisdiction of his *Pashas*. Niebuhr, who passed through their country in 1768, reports to have observed there a sort of feodal government similar to that of the Druzes.

‡ The Turkmans are of the number of those Tartar nations who, during the great revolutions in the empire of the Khalifs, emigrated from the east of the Caspian, and overspread the plains of Armenia and Anatolia. Their language is a less polished dialect of the Turkish. Their mode of life resembles that of the *Bedawis*; (Bedouin) Arabs, like these they are pastors, and consequently obliged to overrun a great space of country to find subsistence for their herds and flocks. But with this difference that their country being richer in pasture they feed more, and disperse less than the Arabian wanderers. Their camps are so numerous, that Volney estimates, not less than thirty thousand Turkmans errant in Syria alone. They have often dissensions with the Othman Turks, by whom their warlike habits cause them to be more considered than the Arabs are.

§ This country, under the almost unknown appellation of Grusinia, has been silently

years, all the provinces were agitated, all the treasures dissipated, all the resources exhausted, and public confidence destroyed.

During these unfortunate circumstances, a native of Kandahar, a young man, named Mahmoud, animated by great personal courage, and strong national prejudices, conceived the moment favourable for the execution of gigantic projects. In the beginning of the year 1722, he raised an army of twenty thousand Afghans, traversed scorching deserts, marched over two hundr d and fifty leagues of country, leaving behind him (according to the true system for an invader) all the places that made any shew of resistance, and appeared at the vernal equinox like a meteor before Gulnabat.* On the 8th of the month of March, he defeated the Persian army, much more numerous than his own, advanced to the walls of the capital, established his head quarters in the royal villa of Ferabad, seized the suburb of Julfa, and prepared to attack the bridges on the Zenderou to open his way into Isfahân.

The Persians, although ill commanded and betrayed, wére nevertheless so stron in numbers, and the population of the city was so warlike, that the Afghans were for a time staggered in their enterprize. Mahmoud even offered a free retreat to Hussein, for the equivalent of a marriage with one of his daughters, the cession of Kandahar, of Kerman, of Sedjestân, and of Khorassan. Hussein, reckoning upon provincial succours, refused to subscribe to such conditions.

Mahmoud, too far engaged to recede, too exposed to retire, too weak in numbers to storm the place, adopted the system of blockade: in the course of which the environs were ravaged, and depopulated, and the first or westernmost bridge, called Abas-abâd, carried by surprise. During this crisis the government within was deliberating instead of acting, as is not uncommon in such cases. In fact, had a different plan of defence been adopted, more than one opportunity presented itself for repelling and even destroying the assailants. Not to dwell upon the episodes of a siege which are incompatible with the limits of an epitome of the national history, it may suffice to mention that Mellek Mahmoud, governor of Toun and of Herrat, advanced with a succour of ten thousand men; the king nelected to turn the approach of this reinforcement to advantage, either in the way of negotiation or of war; but Mellek Mahmoud used the opportunity, and entered into a treaty with the approaching warrior, whom he seduced to abandon his object by the temptation of the additional province of Khorassan.

The result of all this was, that in the 10th October, 1722, (11 Moharrem 1135, Mohammedan Æra) according to Jones's history of Naddir Shah, but on the 23d October, according to the relation of French and other European inhabitants of Isfahân, Hussein found himself reduced to resign a crown he had never shewn himself worthy to wear, and to place himself and his family unconditionally in the hands of his conqueror.

silently drawn into the Muscovite *vortex*. The absorbent system of that power, whom certain of our statesmen were wont to cherish and flatter, as our "natural ally," deserves to be much more closely observed than it has been, till lately. The Persian metropolis is no bad observatory for this purpose, and its utility, for that, as well as for some other political speculations, is very demonstrable, and will become more and more evident. The Georgians call themselves *Carthueli*. The prince's style and title as recorded in a treaty with Russia, dated 24th July, 1783, are Heractius-Taimourasovitz, *Czar* of Carduel and Kacket.

* Gulnabat is a village three leagues eastward from Isfahan.

By

By this event, equally unexpected and extraordinary, the ties between the sovereign and his still-attached subjects were at once dissolved, and anarchy ensued. While the respective governors made efforts to render themselves independent, divers adventurers sprang up from amongst the populace, pretending rights to the regal succession. No less than five competitors started on the occasion: but none of these attained either existence or permanency equal to Mellek Mahmoud, of whom we have already spoken during the attack of Isfahan.

Tahmas *Mirza*, third son of *Shah* Hussein, who escaped during the blockade, had far from fulfilled the hopes conceived of him, so that he neither obtained that support from the governors, nor that devotion from the people, requisite to ensure triumph. After the dethronement of his father, he was proclaimed king at Casbin: at the approach of an Afghan patrole he fled to Tavris, applying for succour to the Russians and the Turks; by which inconsiderate step the Shirvan and the Ghillan fell a prey to the former, while Georgia, with part of Armenia and of Aderbidjan, soon yielded to the latter. It is needless to conduct the reader through the details of Mahmoud's reign, it is enough to say the earlier policy by which his usurpation was palliated, degenerated into such an atrocious system of cruelty and avarice, as ere long conducted him to an untimely end. On the 22d April, 1725, Mahmoud was deposed, and a relation of his, named Esheref, was delivered by the chiefs of the army, from the prison to which Mahmoud's jealousy had consigned him, and was placed upon the throne.

The general reader would not be more rewarded by the circumstantial history of Esheref, than by that of his predecessor; and there are besides more interesting times at hand to which we must hasten. All that we need observe, therefore, concerning this personage, is, that he neither manifested the dexterity of an usurper, nor the greatness of a conqueror. Cruel by habitual disposition, his first act on emerging from a prison, was to commence a series of murders by that of Mahmoud whom the military commanders had dethroned: he put to death the son of his first victim because of his supposed rights to the crown; he deprived his brother of his eyes, because he feared his talents or activity, and he massacred successively all the Afghan chiefs, whose influence gave him umbrage, or whose riches excited his cupidity, under the pretext of their maintaining criminal relations with Prince Tahmas. Thus, more occupied in preserving his own sovereignty, than the integrity of the state, the Russians kept possession of their conquests on the Caspian shores; and the Turks, in addition to their previous acquisitions, during the reign of Mahmoud, now made themselves masters of Tavris, Ardebil, Urmia (Ouroumi) and Sultanieh.

Tahmas addressed himself a second time to these national enemies, proposing what diplomatists describe by the *uti-possidetis*, as the price of their aid to free the remaining provinces from the Afghans. The Turks, on these conditions, made a shew of operating in conformity; but on meeting with a check from Eshered, concluded a treaty with the latter, on the same terms, in 1727. During this state of things Eshered

Eshered determined on decapitating Hussein, whom he kept a prisoner.

Tahmas, as unfit to reign as his father, was at this time a refugee in Mazanderau, and in a state from which no common assistance could extricate him, nor any thing short of miracle translate him to a throne.

This miracle, nevertheless, came to pass, and the instrument by which it was effected was Naddir; one of those mortals, of whom nothing arrests the progress, while they swerve not from the paths of natural duty.

It is not desirable to swell this epitome by the annals of a monarch, who has been brought to our knowledge in so ample a way, biographically, by Sir William Jones, incidentally by the traveller Jonas Hanway, and politically by our relations with that great theatre of his exploits, Hindostan: but we avail ourselves of some information derived from modern travellers, tending to throw light upon the more obscure parts of his outset, and upon the consequences of his downfall, which have not yet been embodied in the general history of the last age.

Naddir *Bey*, subsequently known by the title of Tahmas-kouli *Khan*, and finally under that of Naddir *Shah*, was born about the year 1100 of the *Hidjreh*, (A. D. 1688) at Abbiverd, situated twenty *farsangs* (twenty-five leagues) to the north of Meshed. He was of the line of chieftains of the tribe of Kirklou, one of the most considerable among the Afchars, a Turkman race.

It will of course be evident to those who are in possession of ordinary formation on such matters, that his early life must have been chequered by the achievements and reverses, by the virtues and vices, incidental to a state of *clanship*, if we may borrow a phrase from the condition of Scotland, at a period hardly more remote; which, without meaning to employ an unbecoming epithet, was not many removes from *semi-*barbarism.

Sometimes beaten, sometimes victor, but always superior to fortune, and fruitful in expedients, after establishing his renown amongst the tribes, already named, he collected such a force from them, and other warlike nations, spread to the north of Khorassan, as enabled him to measure his strength with Mellek Mahmoud, now become independent, and having several times worsted him, to display his banner on the walls of Meshed. Master of that important place, he made a tender of allegiance to Thamas Mirza; assumed a title (" Thomas's slave") meant to serve as a pledge of fidelity, and swore, never to lay down his arms till he had re-established that prince upon the throne of his ancestors. He was as good as his word. By his activity, courage, and the ascendency of genius, he appeased in a short time the troubles of the northern provinces, put an end to the pretensions of competitors, and not only reduced the revolted tribes to submission, but enlisted them under the banners of Tahmas, who awaited the result of events at Tehrán, while Naddir after various preparatory operations, and after twice beating the troops of Esheref, advanced towards Isfahán to fight the battle by which Persia was to be won or lost. The two armies came in presence near the village of Mourt-Chekort, situated 10 leagues north of Isfahan, on or about the 13th of November, 1729,

1729. Esheref was vanquished; and evacuated the metropolis; where Tahmas *Shah* was soon after proclaimed with pomp and solemnity befitting the accession of the legitimate sovereign. But Naddir, who seems to have held the true statesman-like principle, that nothing was done while any thing remained to be done, followed the enemy to Shiraz, where they were again defeated, and were obliged to retire to Kandahar: in which flight Esheref was killed by a party sent against him by Hussein, a khan of that country, and brother of the late Mahmoud, as well to revenge the latter's death, as to get rid of a dangerous rival.

It was thus Persia reverted to the Seffis, after having been upwards of six years under the dominion of the Afghans. Neither Mahmoud nor Esheref knew how to reign; and unfortunately Tahmas was no less deficient in the qualities requisite for a king in eventful times: and particularly to enable him to cope with such an aspiring subject as the general, to whom he owed the throne. In fact, being detected in more than one impotent attempt to disengage himself from the ties that connected them, during Tahmas-Kouli's absence, on a military expedition against the Abdallis, who revolted in Khorassan, the latter hastened from Meshed to Isfahan, where he arrived towards the end of August, 1732; encamped near the city; invited the king to a banquet; seized his person; deposed him; sent him to Meshed in confinement; placed on the throne one of Tahmas's sons, eight months old, under the name and style of Abbas III. and declared himself regent *(velli-nimmet)* without opposition, or hardly exciting a murmur, either in the camp or in the city.

After this event, Naddir made an advantageous peace with the Muscovites, and successful war upon the Turks, from whom he took Erivan, Teflis, and all their other conquests on the northwestern frontier: he also dissipated an army raised by one of Tahmas Shah's generals, Mohammed Khan Baloudsh, for the restoration of his master.

Flushed with these successes, and confident of his power, of which the deposition of his sovereign was a demonstrative test, he resolved at length, to occupy the throne of which he had already twice disposed.

But in order to assume the diadem of the Seffis in the face of a people attached almost idolatrously to its kings, he was aware, that it was necessary for him to obtain the public voice in his favour, and that while the military leaders should approve his usurpation, the ministers of religion should at least apparently, sanction the deed.

And here one can hardly avoid being struck by the parallelism of what passed in Persia and in France, almost within the space of a single generation. For Naddir, in 1735 ascended the throne, with the formalities of an election, by deputies and mollas, as Bounaparte did in 1804, by virtue of a *senatus-consultum, a concordat*, and the votes of the legislative assembly. The reader, who is desirous of perusing the comparison, will find ample gratification for his curiosity, in Otter's Travels through Turkey and Persia, where, amongst other acts of atrocity to bring the clergy to reason, and to secure his election, it is recorded that Naddir caused the primate to be strangled, in the middle of a speech which he was addressing to the elective national assembly

bly. The Corsican emperor, it is true, has as yet only deposed the Sovereign Pontiff of the church of Rome: but have we not, almost always, seen every opponent of his (in his power) by some inscrutable dispensation, depart this life whenever their existence began to thwart any of his projects; or that their deaths became necessary to his purposes? This remarkable coincidence, in point of fact, must be admitted by the most sceptical, about the means employed by our arch-enemy, for the attainment or the maintenance of his power.

The two most remarkable features of the reign of Naddir Shah, are his theological speculations, and the conquest of the Mogul empire.

Islamism is known to be divided into two grand sects, called *Souni* and *Sheah*, between whom, however, the shade of difference in faith is extremely slight, for the latter profess the same creed, comprehending the divine mission of Mohammed, the same veneration for the Koran as a book of revelation, and observe the same precepts of ritual observance as the former: but they explain certain passages of their scriptures in a different sense, and dissent from the succession to the head of the church, as established by the Sounis, beginning with Abboobekr, Omar Osman, &c. under the title of Khalifs, which the Sheahs maintain should have been continued in the line of the Mohammedan family, beginning with Aali his son (by marriage,) whom they denominate the prophet's Vicar (*Walli*,) considering the recognition of him, and of his immediate successors, as far as the twelfth, under the title of Immams, as necessary for salvation. Thus then this grand religious separation, may be reduced, in its origin, to a mere family quarrel, afterwards blended and identified with political interests. It is not now easy, or indeed important, to investigate the internal religion of Naddir, whether he was stedfast in any tenets, or merely regarded the church as an engine of state. The fact is, that he was by profession a Souni, while the nation he ruled were Sheahs. And one of the earliest measures, after his inauguration, was a mission to the Othman Sultaan, opening a negotiation to re-establish not only peace between the two empires, but moreover uniformity between the two sects, upon terms which are reduced to five distinct articles, by his historian, Mohammed Mahadi Khán, quoted by the pains-taking Niebuhr, and well worth referring to in the latter's travels.

The Sultaan of Constantinople, agreed to the political part of the projected treaty, but evaded the religious compromise, so that the two churches remained on the old footing, excepting some degree of modification in the system of pilgrimage, by which the holy cities of Arabia were rendered more accessible to Persian devotees.

The invasion of India is partly attributable to the restless habits of a man bred in camps, and to whom the agitations of war afforded delectable sensations; and partly to the cabals of a disaffected faction in the Mogul's government. This extraordinary revolution is the theme of writers on oriental affairs in every body's hands; but Frazer, in particular, has left us the most authentic account.—Naddir Shah entered Hindostan, from Kandahar, in the beginning of 1738. A skirmish decided the fate of the richest empire in the universe.

A king

A king, who fears death, is always ready to barter his duty, his honor, and his glory, for a few moments existence; Mohammed, the weakest of the weak, was a sovereign of this description; and in the depth of degradation and opprobrium, felt himself happy when he found his enemy had no designs against his life. The great Mogul, laid his regalia at the feet of a Turkman chieftain; and the Persians entered the metropolis on the 10th of March.

Naddir Shah, remained at Delhi 57 days, during which time he massacred 100 thousand of its inhabitants, and collected plunder to the estimated amount of 70 millions sterling. On the fourth May he set out on his return, after concluding a treaty with his captive, by which Mohammed Shah was constrained to give one of his daughters in marriage, to the second son of Naddir, (Nasralla Mirza,) and cede in perpetuity the provinces situated west of the Indus. At this price he was left upon his throne.

To sum up the atrocities exercised in India by the Persians, during the brief period alluded to, we may adopt this concise anecdote, which stands on good traditional authority. A *Dervish* had the courage to address the tyrant in these terms: "If thou art a god, act as a god; if thou art a prophet, conduct us in the way of salvation; if thou art a king, do render your people happy; and do not destroy them." To which Naddir is said to have replied: "I am not a god, to act as a god; nor a prophet, to shew the way of salvation; but I am he whom God sends to the nations which he has determined to visit with his wrath."

It was not till the end of 1739, that this expedition was terminated, and with it may also be said to have terminated the unexampled prosperity of its author. From the time Naddir re-entered his own dominions, he was an altered man. A conduct diametrically opposite to what he had hitherto held, severity in discipline, pushed to excess, cruel punishments, insupportable pride, sordid avarice, and humiliating injustice, alienated the minds of the people; who had long ceased to see in him the companion of the soldiery, the indefatigable warrior, the conqueror of the Afghans, and the deliverer of Persia. In a word, the charm which had surrounded him, was dissolved, and after a series of restless warfare against revolted subjects, insurgent tribes, and bordering powers, at length, during a military expedition, when encamped at Fet-abád, two leagues distant from Cotchan, he was assassinated by three chiefs of the army, introduced into the royal tent, by contrivance of two principal officers of the Shah's household, in the middle of the night, between the 19th and 20th of June, 1747.

CHAPTER II.

Reign of Aali-Koul'i Khaan, by the title of Adel Shah; dethroned by his brother Ibrahim; who is himself conquered by the party of Sharokh; both brothers suffer death; reign of Sharokh Shah; the new king deprived of sight by Mirza Seid Mohammed; interregnum and troubles.

Although the catastrophe with which the last chapter concluded, was owing only to the immediate agency of three individuals, stimulated, as is supposed, by personal motives; yet their act may be considered as common to all their fellows; who, united by the same interest, had resolved to put an end to such a series of crimes and calamities as those which marked the latter days of Naddir's reign, and to crush the monster whom they could not enchain. Their plan was to substitute Aali-kouli Khan, the Shah's nephew, to the prejudice of his sons; one of whom, in fact, Reza-kouli Mirza, was disqualified from reigning according to the constitution of Persia, (if such an order of things can bear that name) having had his eyes put out by his father's command, in 1742, on a surmise of conspiracy against his crown and life.

At the time of Naddir's death, Aali was in the province of Sedjestan, whither he had been detached to quell an insurrection: but where the knowledge of his own life being in jeopardy, from his uncle's jealousy, had driven him to raise the standard of rebellion.

The day after the Shah's murder, all the chief officers assembled to deliberate upon the arrangements to be taken in consequence, except Ahmed Khân, commander of a numerous body of Afghans and Ouzbeks, who, so far from attending the meeting, shewed a disposition to punish the murderers: Ahmed had been Naddir's early companion in arms, and always remained his friend. He did not approve his conduct, but he deplored his end. And it was the more easy for him to instil his own sentiments of indignation into the troops he commanded, as they composed the flower of the army, and were the most favored on all occasions. They were, moreover, of the Souni persuasion; whereas the Persians, Afchars and Curds, who supported the conspirators, being of the other sect, the army were divided as well by religion as by party.

Ahmed had not more than ten thousand men under his command, the conspirators had almost double that number; he, nevertheless tried the fortune of war, but finding himself worsted in the engagement, and, being a man of wisdom as well as courage, he made a virtue of necessity, and on having it explained to him that Aali was the soul of the plot,

plot, removed with his troops to Kandahar, where he founded a state which has become, in a short time, not less considerable than Persia itself. It extends along the course of the Indus, from Kashmir nearly to its mouth, comprehending Lahor, the rich and fertile district of Moultan, as well as the country of the Baloudjis.

The first operation of Aali-kouli Khan, on learning the death of his uncle, was to detach a strong body of his army against the castle of Kelat, where the late king kept his treasure, and also to surprise Narzalla Mirza, and Imam-Kouli Mirza's sons, as also Sharokh Mirza their nephew. These princes endeavoured to make their escape, but were recaptured by Cazzem Bey, Aali's brother.

On arriving at the camp, Aali rewarded his uncle's murderers, made largesses to the soldiers, reviewed the army, and marched with it to Meshed; without developing his projects as to the regal dignity, to which, Narzalla Mirza had become the rightful heir, since his eldest brother, Reza-Kouli Mirza, had lost his sight. But it was not for him that Aali had imbrued his hands in the blood of his sovereign, as was speedily made manifest.

Reza-kouli, blind as he was, Nazralla, and Imam-kouli, together with sixteen other Mirzas, were sacrificed; and even some of the royal or princely concubines, supposed to be pregnant, fell victims to treatment which cannot be related without a violation of decency. The only member of the royal family who was spared in this massacre, was Reza-kouli's son, Sharokh, then about fourteen years of agė. Aali contented himself with immuring him in the castle of Meshed, causing a rumour of his death to be published like the others. Speculative policy, rather than any compunctious visitings of nature, induced the Khàn to spare the only descendant of Shah Hussein, till it was seen how far the Persians would acquiesce in this usurpation, which he endeavoured to justify by an edict, wherein he assumed the title of Addel-*shah*, ("just King.") This edict, dated A. H. 1160, was seen by Mr. Hanway in the province of Ghillàn, and is published at length in one of that traveller's works.* The arguments in this state paper were supported by the distribution of a sum equal to about three millions of our money, drawn from the treasures of Kellàt.

The first months of Addel-shah's reign, were devoted to make his new subjects forget the crime by which he reigned over them. Justice resumed its sway, a strict military police kept the freebooting tribes within bounds, while a conciliatory system, with regard to foreign powers, was shewn by an embassy to Turkey, and by recalling the Russian envoy, who had fled from Reshd to Astrakan, during the troubles which, as usual, marked the interregnum. In short, the tranquillity which now succeeded thirty years of agitation, gave new life to the Persians, who applied themselves to heal the wounds of their distracted country, with a zeal and industry that could not have failed of success, had this state of security lasted.

But Ibraham Mirza the Shah's brother, who had been to Istahan,

* *The revolutions of Persia*, by Jonas Hanway, merchant, (London. 1754.)

as

as governor, having witnessed the means that led to a throne, was tempted to use them for the same end. He employed the supplies furnished for his government in forming a party among the Turkmans and Ouzbeks, formed secret relations with Meer Aslan, governor of *Aderbidjan, Hussein Ali Khan, the prime minister, and other disaffected nobles, and at length took the field, in the month of June, 1748. A battle was fought between Casbin and Tehran in which rebellion proved victorious. Addel was taken and carried before Ibrahim, who caused his eyes to be put out a few days after.

Although this victory made Ibrahim complete master of the government, he thought fit, before he declared himself king, to get rid of Emir Aslan, whose designs he had penetrated, and to be assured of Sharokh Mirza, whose rights to the crown were more legitimate, as being by his father Reca, the grandson of Naddir Shah, and, by his mother Fatima, grandson of Shah Hussein.

The former had retired to Tavris with that part of the army under his orders. As soon as Ibrahim was informed of his proceedings, he lost no time in quitting Ammadan, whither he had marched after the battle against Addel Shah, and took the road to Aderbidjan. They met in the plain of Merragheh, and soon came to blows. Emir Aslan was defeated, taken and beheaded.

The other of the two competitors remained constantly confined at Meshed; it became known to the people, who had seen with pleasure the punishment of Addel's usurpation, and were not sorry that Emir Aslan had perished, but were desirous that Ibrahim should now place upon the throne, him who was called to it by birth. Ibrahim feigned a disposition to accede to the popular wish, and sent his brother Hussein Bey, with two other Khâns, into the Khorassan, to deliver Sharokh, and invite him to come into Irrak to be recognised king. But the nobles of the former province mistrusting Ibrahim's intentions, objected to such removal, and undertook the installation of Sharokh themselves. Accordingly they made him come forth from the castle of Meshed in due pomp, and paid solemn homage to him on the 20th September, 1748.

As soon as Sharokh Shah had gone through this ceremony he notified his accession to Ibrahim in form, and invited him to his presence to concert measures for the good of the state.

Ibrahim deceived in his hopes had now no alternative but instantaneous obedience or undisguised revolt. He was master of all Persia except Khorassan, at least in appearance, and in point of fact was at the head of a formidable army, was in possession of the royal treasure, and in the receipt of the whole revenue. He decided on remaining at Tavris, and caused himself to be proclaimed King in that city, on 17th November of the same year.

In the spring of 1749, as soon as the season admitted of military operations, he sent his family and his unhappy brother Aali, whom he had detained in captivity, to Kom, while he himself marched towards Mazanderan. The adverse party were not less alert and at Semnan, Ibrahim was met by the news that Sharokh Shah was advancing against him at the head of a considerable army. He accordingly made his disposition for battle. But before the armies came in presence, a spirit of desertion

* Media.

ion shewed itself in that of Ibrahim in such a degree, that in a few days he was left with 10 or 12 thousand Afghans only. Thus suddenly weakened he did not think fit to risk a battle and fell back precipitately to Kom, but the garrison of this place had been seduced by the general defection and declared against him. Kom containing all that was near and dear, and every thing that was most precious belonging to him, he could not submit to the sacrifice: but encouraging his Afghans by promises of plunder, attacked and took the place in a few days; and then immediately set forward to Kelat. In this attempt, however, he was intercepted by a superior force of Sharokh Shah's, his escort was cut to pieces, and himself conducted prisoner to Meshed. But the person to whose custody he was confided, for fear of accidents, put him to death by the way. Aali (or Addel) who was among the prisoners, shared the same fate, although blinded. Thus perished these two rival brothers, about the end of 1749 and Sharokh Shah remained without opposition on the Persian throne being then 16 years and some months old.

Born in camps, and bred in the school of adversity, with the example of Addel and Ibrahim before him, shewing the fate of monarchs, whose cruelty or whose weakness excite hatred or court contempt, conducted by a good heart, and surrounded by enlighten ed mercy; young as he was, Sharokh gave the greatest hopes of operating the public good, and acquiring the public esteem. But although his own conduct justified this expectation, and he was seconded both by his immediate counsellors and the nation at large, in repairing the evil consequences of intestine war, this empire was doomed to be again torn by internal broils, again to become the prey of perverse and ambitious men.

Mirza Seid Mohammed, son of Mirza Daoud (David,) and on his mother's side, grandson of Shah Suleyman, appointed governor of the Khorassan under Naddir Shah, and principal officer of the army, under Addel and Ibrahim, fancying his right to the crown better than that of Sharokh, who was also descended maternally from Shah Suleyman, had succeeded in forming a party at Meshed principally by a fanatical cry against the Sounis, whose principles in religion were professed by Sharokh's family. Mohammed's father had been *Sheik* of the mosk of Immam Reza, a place of pilgrimage; his successor in that post was a dextrous partisan who knew well how to turn piety to account in politics, and being zealously devoted to Mohammed's interest kept up this religious ferment which soon led to tumultuous assemblies: had the ministers acted with timely vigour, these might have been easily suppressed; for no government armed with the power of the state can ever fall before popular attack, but by a sort of political suicide: so it happened in this case. The scenes of the former reign were acted over again; the same treacherous cabals took place among the generals; and in spite of the most exemplary personal conduct on the part of Sharokh he was made prisoner, immediately blinded, according to all the atrocious precedents we have seen, and Seid Mohammed, without an atom of merit or title, aided only by a troop of seditious fanatics, was proclaimed king at Meshed,

under the assumed name of Suleyman (Solomon.)

The triumph of this usurper was however but brief, for Yousef Aali one of the military grandees, whose egotism had prevented them from uniting to save their sovereign from the impending danger, no sooner witnessed the catastrophe than he summoned the other two, Mir-Alem and Jaffar, to join him against Mohammed; they however, declined the invitation, having doubtless their views in thus prolonging the troubles of their country. Yousef Aali however, nothing daunted, kept advancing from Herat with such troops as he could collect to the number of 13 or 14 thousand men, and with this small force precipitated the usurper from the throne, and put out his eyes in his turn: but as that could not be deemed an expiation of his crimes against the government and person of his sovereign, he was condemned to lose his head, which sentence was a few days after executed upon him; and upon two of his sons, taken fighting by his side.

This passed towards the end of the winter 1750. Not having the intention of writing a detailed history, of all the outrages which so rapidly succeeded, nor to signalize all the obscure adventurers, who acted a momentary part on the political stage in turbulent times, the reader will rest satisfied with a succinct account of such only as obtained supreme power, or at least of such as struggled for it with temporary success.

Yousef, aware of the prejudices of his nation, relative to the royal lineage, proposed to the nobles assembled at Meshed to replace Sharokh on the throne, altho' blind, giving him a regent till he should have a son of age to govern. This proposal, in favor of a young prince, whose first steps had been marked by justice and goodness, was favourably entertained by the public at Meshed, but met with open opposition from the two rival generals already named, who were at the head of a numerous army of Arabs and Kurds, and declared they would never consent to the election of a blind king, protesting still stronger (and probably with more sincerity,) against the implied choice of a regent to act for the blind. Another battle took place in May, 1750. Yousef was wounded and fell into the power of his rivals, and blindness, as in the former cases became his lot also. The unhappy Sharokh, was again plunged in misfortune and deprived of liberty. Mir-Alem and Jaffer had too much ambition, and too little good faith, to live long together in harmony: equal in strength and pretensions, they had soon recourse to arms for a decision, in which they were respectively seconded by the Kurds and the Arabs. Jaffer was taken in the conflict, and suffered the fate we have so often seen repeated in the course of these annals.

Mir Alem already began to flatter himself with the entire conquest of Persia, and was preparing to take the field against Mohammed Hassan Khân, who had fortified himself in Mazanderan, when he found his attention arrested by a more dangerous enemy.

Akhmed, who it will be recollected retired to Kandahar, after the death of Naddir, and there founded an Afghan kingdom, was an able general, and at the head of an attached and powerful soldiery. If he had not Naddir's genius, he had equal ambition and audacity, and the state of Persia presented a reward for both. In fact the moment was

was most propitious for his re-appearance on the grand scene, and he accordingly entered Lesgh'estân, at the head of sixty thousand Afghans. Mir-Alem, was not backward in meeting the invader with an army nearly equal in numerical force, but not to be compared with the very best troops Naddir ever had, for such were under Akhmed's command when he transformed a simple province into a kingdom. Besides, what avails the courage or talent of a chief when he is not seconded? This was Mir Alem's fate: at the first onset his army disbanded; he was slain; and Akhmed arrived before the walls of Meshed, in the month of October, 1750.

This city was garrisoned by seven or eight thousand Persians, determined foes to the Afghans, both from religious, as well as national antipathy, and resolved to perish rather than to surrender. Nor was it, till they were reduced by disease, the sword, and famine, to less than half, that they submitted to the conqueror, after a resistance protracted to eight months.

Akhmed contented himself with the punishment of a few among the officers and principal townsmen, and with levying a heavy contribution. He delivered Sharokh Shah again out of his prison, received him with the utmost shew of courtesy, and lodged him in the same palace with himself.

It is now time to bring to the reader's more particular knowledge Mohammed Hassan Khaan, who has been already mentioned as maintaining a sort of independence in the government of Mazanderan. His father, Fettah Aali Khaan, of the tribe of Kadjars,* was one of the generals of Shah Thamas, and appointed governor of the Mazanderan, in 1723, with the special mission of driving the Afghans out of Tehran, in which he failed. When Thamas-kouli Khaan (Naddir) had expelled that nation from Persia, the Mazanderan, under Fettah Aali Khaan, was in a state of rebellion. Thamas-kouli sent his brother Ibrahim to quell it, this latter beat Fettah Aali, took him, and put him to death. Mohammed Hassan Khaan, his son, was, notwithstanding, advanced by Naddir to the government of Asterabâd, and commanded a corps of troops at the siege of Mosul† in 1743.

* As to the Kadjars, all we have been able to collect concerning this tribe is, that, during the reign of Shah Ábbas I. there assembled, on the frontier of Persia, towards Armenia, a great number of Turkish deserters and refugees, who were received into the Shah's service, and employed in his wars. But that monarch afterwards apprehending such a concourse of strangers might excite troubles in his country, if united, divided them into several corps, of which he detached some into Mazanderan, to make head against the Turkmans, and Ouzbek Tâtars; others he sent to Urmia, and the environs of Candjea; the remainder he dispersed in the province of Kermesir, along the Persian gulph, to keep the Arabs in order. These strangers received the denomination they bear from the Turkish word, *Katchmek*, "to flee," whence *Katchiar*, "fugitive;" which, afterwards, by corrupt pronunciation, in foreign mouths, became Kadjars, Khadsars, or Hadsars, so arbitrary is oriental orthography and articulation. Those who were in Mazanderan, originally the more numerous portion, multiplied there so exceedingly, that they long continued to form a distinct race from the indigenous population; with which, in the other districts, where they were less powerful and less susceptible of recruit, they sooner became blended, and ceased to possess a separate existence and name.

† Mosul is situated on the right bank of the Didjel, (*Tigris*) exactly facing the ancient Nineveh, in latitude 36° 20' N. according to Niebuhr, who says, that, owing to lo-

1743. The year following he signalized himself by quelling a formidable rebellion in his province, putting to death a great number of the inhabitants, innocent and guilty.* After the deaths of Addel and of Ibrahim, Mohammed levied a body of troops in his district of Aster-abad, with which he made himself master of the whole province of Mazanderan, forming an independent state, occupying a considerable extent along the Caspian sea-coast, where he was at the head of more than fifteen thousand cavalry, when Akhmed laid siege to Meshed, and detached eighteen or twenty thousand men against him, in order to open the route of Irrak-Adjem, and of the Persian capital. Mohammed Hassan Khaan was repulsed with great slaughter. A victory over the Afghans, reputed the most warlike troops of the east, soon drew together, under his banner, a number of Turkmans, Kurds, and Katchars, which enabled him not only to maintain his independence, but to extend his conquests, as will be seen hereafter; but we must now leave this chieftain for a while, in order to bestow some notice on other personages who have successively acted a conspicuous part on the theatre of the Persian kingdom in these latter times.

Just before the death of Naddir a body of ten thousand Afghans had been stationed on the frontiers of Armenia, to observe the Turkish movements; after successively submitting to, and abandoning the successive occupants of the throne, they at last, upon the death of Emir Aslan, established themselves as a sort of military colony at Urmia, and rendered themselves the terror of all that country, under Azzad Khaan.

Teymouras, prince of Georgia, desirous of aggrandizing his territory, and freeing himself from the state of vassalage in which he had been held by Persia, entered into a treaty with these Afghans, and engaged them in his service, under the conduct of their leader, Azzad Khaan, a native of Kaboul. While this was passing to the northward, during the two years which followed the death of Ibrahim; the south was agitated by Ali Merdan Khaan, a Kurd of the Bakhtiar tribe, who the reader will recollect, was at the battle of Gulnabad in 1722, and as having been afterwards named by Shah Hussein, commander-in-chief of the troops destined for the relief of the capital, when besieged by Mahmoud. He always served more or less under Naddir, till at last discontented with Addel, he quitted Meshed, at the head of three or four thousand men, and returned to his own country. This man, although advanced in years, as we have seen, was nevertheless like the rest of the Persian chiefs, possessed by the dæmon of ambition, and thought the time come for him, either to possess himself of the throne, or at least to reign in the name of a sovereign, who might be called, by birth, to fill it. At this period there resided amongst the Kurds of Loristan, a youth of distinguished parentage, This

cality, it is sometimes liable to such severe cold, that the river has been known to be frozen for several days at a time. It was bombarded by Naddir Shah in 1743, (for 41 days,) and he would, in all probability, have taken it, had he not been suddenly called back into Persia, by one of the rebellions so frequent in that country, particularly in his time.

* See history of Naddir Shah, translated by Jones.

whose mother, a daughter of Shah Hussein, had, after the departure of the Afghans, married Seid Moustafa, an officer of rank, who, in the latter years of Naddir, had found it prudent to quit the court, and seek an asylum for himself and his family with these brave mountaineers, where he shortly after died, leaving two sons.

Whether Ismael, one of these children, was really the son of Moustafa, or the grandson of Shah Hussein, or not, is not now our object to investigate. The fact we have to do with is, that Aali Merdan made him pass for such, and the Bakhtiari Kurds, acknowledged him; which occurrence introduces another conspicuous actor upon the scene of regal competition.

This person was Mohammed Kerrim, a Kurd of the tribe of Lend, born at Peria, the capital of the district so called. He had made war under Naddir, and although he had never commanded in chief, he had served with such distinction, as to appear in the eyes of Aali Merdan the proper agent for conducting Ismael to Isfahan. Kerrim at once penetrated the importance of the part he was called to play. Ismael a child—Ali Merdan, had reached the latter stage of life; the one would still need a guardian, when the other should be no more. Persia tired of anarchy would open her arms to him, who could restore peace and quiet. The people detested the Afghans too much to favour either Azzad, or Akhmed. Mohammed Hassan was but a rebellious Khaan, while the only remaining legitimate regal pretensions were to be found in Ismael, and there, although reduced to a mere shadow, were still enough for the people to cling to, attached, as they have been shewn to be, to the issue of their kings.

Kerrim therefore, acceded without hesitation, to the overtures of Aali Merdan, and joined his standard with a small, but select force. The combined troops about ten thousand strong, took the title of the royal army. Ismael was proclaimed in the camp; and in the month of March, 1750, Aali Merdan appeared before the walls of Isfahan.

The metropolis was then governed by Selim Khaan, in the name of Sharokh, who, firm in the preservation of his trust, turned a deaf ear to all that Aali Merdan could urge in favour of Ismael, and simply exhorted him to retire and disband his army, if he did not mean to lose his life in a battle or on a scaffold. This refusal served as the signal for hostilities, which, after a series of operations, immaterial to record in this place, terminated by Isfahan opening its gates, on the 31st of May, 1750. Aali Merdan established himself in the city, and Kerrim Khaan obtained the command of the rich and extensive Armenian suburb of Julfa. The citadel surrendered the following day. Their public entry took place on 2d June, when Ismael was installed in the palace of the kings.

As soon as order was restored, which was speedily the case, a *divan* was convened, to whom Aali Merdan having exposed the state of the nation, in an harangue which met with universal applause, Ismael was unanimously hailed king, and the regency conferred on the orator. This revolution was succeeded by more than a year and

and a half's uninterrupted tranquillity in Isfahan, and throughout the south of Persia; insomuch that the people began again to give themselves up to the hope of at length enjoying, under a government of stability, that repose and happiness for which they had so long sighed in vain. Aali Merdan although austere, passed for just, while Kerrim, his lieutenant, had made himself deservedly popular in general; but his mildness, affability, disinterestedness, and generosity, had more particularly won the hearts of the poor oppressed Armenians, in the quarter of the city under his immediate command.

During these occurrences in the south, the north was in the following state. Azzad and the prince of Georgia, after a quarrel and fruitless struggle for pre-eminence, had made a treaty, in 1751, by which the river Araxes was constituted a mutual boundary, and barrier against further encroachment and pillage, on either side. Azzad rendered, by this arrangement, master of the whole Aderbidjan, was meditating the acquisition of the Ghillan, as a preliminary to his advance towards the capital. Mohammed Hassan, had anticipated him in this at the beginning of 1752, and attached that province to his government of Mazanderan. Akmed after the taking of Meshed in June, 1751, remained for some time in the Khorassan, as well to assure the possession of that vast province, as to observe, more narrowly, what was passing at Isfahan. His projects on quitting Kandahar could not be doubtful, the conquest of Persia then appeared of easy execution, but circumstances had now changed, and he resolved to retain of his Persian conquests, only Herat and the Sedjestan, to dismember Khorassan and its dependencies, in favour of Sharokh, who, although blind, reigned over it with the title of Shah, in perfect independence, but, under the guarantee and protection of the Afghan king of Kandahar.

Akhmed having completed all these arangements, returned to his own dominions, in 1752, and never afterwards took an active part in the affairs of Persia; but directed his views to the East, on which side his subsequent exploits were performed. He pillaged Delhi, in 1762, after the example of his patron, Naddir; but these events† do not properly belong to our present province.

The tranquillity of Isfahan was interrupted by a rupture between the two chiefs of the revolution, brought about by the regent's taking advantage of Kerrim Khan's absence, on military duties, to extort a very considerable sum of money from the Armenians of Julfa, whom the latter considered as under his special protection; and he accordingly, on his return, resented the proceeding as a violation of his safeguard. From that moment Aali Merdan no longer saw in him the same coadjutor, that he was before, but a dangerous

† Those who are particularly curious or interested about the remainder of this sovereign's career, may find some details in the "history of Akmed Shah, king of the Abdallis," translated from a Persian biography, and published by Mr. Vansittart, or Forster's journey from Bengal to England, by way of Petersburgh.

rous rival to be put out of the way. An interview, in which Aali Merdan spoke the language of a master, did not conciliate matters between them. Kerrim withdrew, aware of his danger, and the very day the regent had issued orders to arrest him, he was stabbed by one of Kerrim's friends, named Mohammed Khan, in the midst of his court, with perfect impunity.

This death, which happened at the end of the winter of 1752, paved the way for Kerrim to the regency; and he found himself immediately master, without resistance, of all that part of Persia, which had submitted to the sway of Ismael, and without any impediment to the prosecution of such measures as should be necessary to maintain his authority, against the distant rivalship we have already alluded to, in other parts of the empire.

Want of space must oblige us to pass rapidly over the regency (or reign) of Kerrim. After providing for the due administration of the southern provinces, and conciliating the good will of their inhabitants, he marched against Mohammed Hassan, by whom he was met near the little river of Mehmandost, at the same place where Naddir had formerly triumphed over the Afghans. The fortune of the day was adverse to Kerrim, and he was compelled to seek for safety in flight; he returned a fugitive to Isfahan in May, 1753. Notwithstanding this misfortune, he was able, in a few months, to repair his losses, and take the field again the year following, against Azzad, who had established himself at Kasbin.

He marched from Isfahan in April, 1754, with about 40 thousand men. Kasbin could not be called a fortress, but as Kerrim was not better versed in the attack of places than other oriental warriors, the siege was unsuccessful, and he was compelled to retreat and winter at Isfahan. On the return of spring (1755,) he returned to the charge: but Azzad did not wait for him this time within the walls of Kasbin: the armies met near the village of Membereh; the conflict was long doubtful; but at length Kerrim was again worsted, and forced to betake himself to flight. His losses on this occasion had weakened him so much, and his adversary followed him up so closely, that he did not think it safe to shut himself up in Isfahan, nor even to make a stand at Shiraaz but preferred retiring into the Kermesir at the utmost southern extremity of Persia, where the appearance of the Afghans becoming the signal for all the Arabs of the maritime parts to fly to arms, he was enabled, in a few days, to oblige Azzad to measure back his steps and Kerrim regained Shiraaz. Mohammed Hassan who judged that the Arabs had taken arms rather from antipathy to the invaders, than from attachment to Kerrim's cause, rightly calculated that their services would be but temporary. As to Azzad, his army was reduced to such a state by fatigue, heat, bad food, and the sword of the Arabs, that Mohammed Hassan did not doubt that his annihilation would be but the affair of a single campaign.

Accordingly, after thus waiting till the two rivals were, as he thought, sufficiently exhausted, the third set forth from Aster-abad towards Isfahan in the spring of 1756, but although the calculations he had formed

formed of Azzad's condition were perfectly just, those of Kerrim's turned out to be partly enoneous.

This latter also marched from Shiraz on the 15th of March, towards Isfahan. Azzad, who still occupied that city, did not wait for the arrival of these two armies from the north, and from the south, but, on the first news of their movements, promptly evacuated the place and retired to Tavris, there to recruit his strength, and to wait the issue of the combat about to take place between his two enemies.

Kerrim reached the goal eight days before Mohammed Hassan, and took possession of Isfahan in the name of Ismael Shah.

Mohammed's conjectures, relative to the Arabs, were soon realized; on discovering their unsteadiness, Kerrim hastened the day of battle: they retired from the field at the first onset, and Kerrim finding himself abandoned, was again constrained to take the road of Shiraaz, whither he was followed by Mohammed, in the course of the month of June: but finding the place too strong for him, he returned to winter at Isfahan, in order to be nearer at hand to act against Azzad in the spring, as, in fact, he did, with such effect, that Azzad was reduced to emigrate into Turkey, where not meeting with the succour he hoped from the Pasha of Baghdaad, he resolved to return into Georgia, and try if he should be more fortunate in obtaining help from a christian prince, of whom he had been the enemy: but with whom he had lived in good harmony since the conclusion of peace between them.

Teymouras was dead; Heraclius, his son, had succeeded him: Azzad met with a hospitable reception, and found an asylum; but the Georgian prince would not listen to any proposition tending to involve him in war with Persia.

Mohammed Hassan employed the remainder of the year in consolidating his conquest of Aderbidjan, and at the return of the fine season, in 1758, proceeded against the south as an assured conquest. He broke up from Isfahan in April, and arrived, by the end of May, before the walls of Shiraaz, with a greater force than had been seen united, in the same hands, since the death of Naddir. But this army, so numerous, so formidable, which made all the country tremble, and inflated the pride of its master, so as to make him neglect all his duties, and all propriety of conduct, was in a short time reduced by desultory warfare, and stratagem, to a handful of men; with which Mohammed retreated to Isfahan, in the latter part of June, and thought himself fortunate in getting safe back to Mazanderan where he was attacked in his turn, by Kerrim Khan's chief general, named Sheik Aali, defeated, wounded, and afterwards killed in the pursuit: his possessions of every denomination fell to the conqueror, and his whole family were led as hostages to Isfahan.* This was in the winter of 1759.

The death of Mohammed Hassan Khaan and the flight of Azad to Georgia, may be said to have left Kerrim no more enemies. Sharokh blind, bounded his wishes to a quiet and unmolested life in the Khorassan; and Akhmed, satisfied with

* His sons were seven in number, and their names were Hussein Khan, Agha-Mehmed Khan, Jaffar-kouli Khan, Ala-kouli Khan, Reza-kouli Khan, Moustafa-kouli Khan, and Morteza-kouli Khan.

with having dismembered Persia of the Kandahar, the Sedjestan, and Herat, thought only of carrying his arms into the east. The reduction of Mazanderan necessarily produced the submission of Ghillan. Hiddeat obtained what he demanded, on condition of sending hostages to Isfahan. The governors of the Kerman and Lauristan, who had hitherto maintained themselves in a state of independence now agreed to do homage, provided they were confirmed in their posts. Kerrim expedited their new diplomas, and they furnished hostages for good behaviour. The Arabs of the sea-coast likewise submitted, without difficulty, except two chiefs, against whom Kerrim was obliged to make war: of these Emir Mahenna, who had formerly been a ringleader in the desertion of Kerrim's standard by his countrymen, under the walls of Isfahan, and had now usurped the government of Bender-Rik, a maritime town of the Persian gulf; the other was Sheik Suleyman, head of the tribe of Kheab, inhabiting the *Delta*, and circumjacent islands of the Shat-el-Arab. Thus almost the whole of Persia was in allegiance to Kerrim Khan.

But a formidable enemy was beginning to shew himself in the Aderbidjan: this was Fettah-Aali Khan, one of Azzad's officers, who had been left by Mohammed Hassan at Urmia, with four thousand Kadjars. Conciliatory offers having failed, Kerrim resolved to reduce him by force of arms, and to this effect left Isfahan in April 1761. Fettah Aali being besieged in Urmia, without hope of relief, surrendered himself in person, and implored Kerrim's clemency which he experienced. There still remained to deprive Azzad of all hope from the support of Georgia. A warlike message to Prince Heraclius, who was more timid or prudent than his father Teymouras, effected the delivery of the refugee upon assurances, however, of honourable treatment, which Kerrim faithfully acted up to; and Azzad, from a rival and a prisoner, became a guest and a friend.

About this time some cabals were set on foot to remove Kerrim from the regency, Ismael having now reached his twentieth year. The discovery of these designs made Kerrim accelerate his return to Isfahan, where in a Divan, which he convened a few days after his arrival, he so managed matters as to obtain a more ample concession of authority under the title of Vekil, or lieutenant-general of the kingdom; and a short time afterwards he sent Ismael to Abada, a fortress between Isfahan and Shiraaz, with orders to the governor for his treatment as a king, but also for the safest custody of his person.

The next act of the Vekil was the building a magnificent palace at Shiraaz, and transferring the seat of government from Isfahan to that city, where he afterwards resided, leaving the former under the government of his brother Kékki (or Zekki) Khaan who, in 1763, according to examples, of which we have seen but too many in the course of this history, conceived the project of dethroning and supplanting his brother. In this he was secretly supported by Fettah Aali, the same who defended the city of Urmia, and now residing in dignified retirement at Shiraaz. As soon as the plot was discovered, Fettah Aali was arrested, and the correspondence seized upon him; leaving no doubt of his criminality, he

he was beheaded. This and some other exemplary punishments disconcerted Zekki's schemes, and brought him to throw himself upon the Vekil's mercy, who spared him; and he afterwards remained quiet at Shiraaz as long as Kerrim lived.

One of the reasons for removing the court to Shiraaz was its proximity to the sea coast, of which the Vekil now determined to avail himself for the execution of his intentions relative to the Arab sheiks; who, during the troubles, had ceased to pay tribute, or discharge any of the duties of vassalage. He accordingly, in 1765, encamped at a short distance from Goban, a small city on the most eastern arm of the Shat-el-arab, near its mouth: This was Sheik Suleyman's principal residence and sea-port. The Sheik was become very powerful and had obtained such a degree of superiority over the others of his tribe, that he had gradually made himself master of almost the whole province of Shustea, or the ancient *Susiana*; he also possessed much shipping, used both for trade and war. When Kerrim approached Goban, the Sheik passed over with his valuables and troops, to the insular parts of his territory where he was inaccessible.

Kerrim, unprovided with naval means, had recourse to the Turkish *Mutselim** of Basra; but that officer either fearful of committing himself, or gained by the Sheik, evaded the demand; and Kerrim, wearied by delay, came to terms with Suleyman, evacuated the country, and confined his operations to the attack of Mir Mahenna by a part of his army entrusted to the command of *Emir* Kuneh Khan, an Arab chief, who was ordered to act in concert with Nasser the Sheik of Bender-Abousher against Bender Rik. On the approach of the assailants, Mir Mahenna, like Suleyman, evacuated Bender Rik in the month of June, and established himself at Khoueri, a small desert island about four miles from the one more considerable and better known, of Kharedsh, then occupied by the Dutch, under a certain governor Buschman. The armament, by which he was attacked, was supported by an English cruizer commanded by a captain Price, which assistance had been furnished by the English agent, residing at Abousher, Mr. Natter, at the instance of Sheik Nasser; but such was the ill conduct of the oriental portion of this combined force that no impression was made, and Emir Kuneh Khan, like his master the *Vekil* returned *re infectâ*†. As soon as the allies had retired, Mir Mahenna returned to Bender Rik; having not only frustrated the attack upon himself, but also contrived, in an extraordinary way, to increase his dominions by surprising and seizing the isle of Kharedsh. He did not however long enjoy his success, for his tyranny and ferocity was such, as to alienate the attachment of his troops; and a plot being formed against him he only escaped

* *Mutselim*, or *Motsallam*, means literally a "depositary of authority," and is the title of provincial governors subordinate to a *Pasha*, as was the case at Basra, which had been annexed to the *Pashalik* of Baghdaad in the beginning of the eighteenth century.

† The events of this singular campaign are related in much detail by Niebuhr who was an eye witness of part of the operations. See *Voyage en Arabie* (Amsterdam et Utrecht, 1776) Vol. II. p. 151.

escaped by means of flight to Basra; where the Mutselim, regarding him as a dangerous man, cut off his head. After the death of Mir Mahenna the two islands returned to the hands of Kerrim Khaan: and a long state of peace ensued, which he, however, found it necessary to interrupt by a rupture with the Turks, pretexts for which, both of a religious and political kind, were not difficult to find.

On meeting with a refusal to certain demands, relating to the annual pilgrimage, of Persian devotees to the shrines of Meshed Aali and Meshed Hussein, situated in the *Pashalik* of Baghdaad, and to others relating to commercial interests, the Vekil sent forth an armament from the ports in the Persian gulf, against Bassa, by way of the Shat-el-Arab, while an army of 50 thousand men marched by land under the command of another of his brothers, Saddek Khaan, *Beylerbey* of Farsistan. The union of these forces, before Basra, took place in April, 1775, and the city was taken after thirteen months siege; during which it was defended with such vigour and ability by the Mutselim, named Suleyman, that although unsuccessful, he was eventually rewarded by being created a *Pasha* of three *touhk* (horse-tails) and made governor-general of Baghdaad, Shersour, Basra and Merdin, in 1780.

The war against Turkey was not marked by farther hostilities of importance, nor did the tranquillity and prosperity of Persia suffer any serious interruption, till the year 1779, when Kerrim was suddenly attacked by a malady which carried him in a few days to his grave, on the 13th of March. He died in the 74th year of his age, and in the nineteenth of his reign, if computed from the time he destroyed Mohammed Hassan. He had three sons, the second of whom, Mohammed Rasin Khan, he lost in the year 1778, to his extreme sorrow: but the two others survived him; viz. Aboul Fettah Khaan, aged about thirty; and Mohammed Aali Khan, who might be about eighteen or nineteen years old, at the decease of his father.

The race of Seffi was extinct; that of Naddir no longer existed, at least in Persia. Kerrim had therefore occupied a throne which in fact was vacant: for it is now the time to remark, that Ismael was not believed to be the issue of Shah Hussein, but his nomination was generally attributed to a device of Aali Merdan for captivating the suffrages of the people. The late regency, if not glorious, had been eminently beneficial to the state. If the concurrence of such circumstances could form a title, to Kerrim it belonged to commence a new dynasty, and he ought to have been succeeded by him whom birth, popularity, and military confidence called to fill his place. The person so designated was the Vekil's eldest son, Aboul-Fettah Khaan. But the respect with which the deceased had inspired the Persians for his person, and the conviction with which he had impressed the grandees of his superiority, which operated like a spell against discord, during his life, no longer kept the wicked in awe: and the public peace was suddenly troubled by Zekki Khan, the pardoned rebel, disputing his nephew's inheritance; and availing himself of his military functions at the court, to constitute the whole royal family his prisoners before his pretensions were even suspected. Master of the capital, his next care was

was to assure his authority in the provinces, and one of his measures conducive to that end was the mission of Aali Mourad* Khan to Tehrân at the head of ten thousand troops, to observe the northern provinces.

Aali Mourad was the son of a Kurd, cousin german to the late regent; and his mother, become a widow, had married Saddek Khan. Indignant at the conduct of his uncle, Zekki, towards Aboul Fettah, Ali Mourad no sooner reached his destination, than so far from endeavouring to dispose the people in favour of his employer, he began to prepare for making war against him, and for placing the rightful heir upon the throne.

Ali Mourad found himself, in a few days, able to make head against Zekki and even to offer him battle with advantage. Being informed that there was a strong party in favour of Aboul Fettah, in Isfahan, he advanced towards that city in the beginning of May, 1779.

Saddek Khan was, as has been already mentioned, at Basra. As soon as he learnt the events in Persia, he evacuated his conquest, and moved slowly and cautiously homewards, being desirous of seeing the result of the struggle between the usurper and Aali Mourad before he decided which party to espouse. In order to give less suspicion to his brother, he discharged a number of his men during the journey; and when he encamped, at two or three days march from Shiraaz, he had hardly more force than constituted an effective body guard.

An intercourse of politeness immediately took place between them. Zekki sent out his son, Akbar Khan, on a complimentary mission, which was returned by a similar compliment, on the part of Saddek, who charged his son, Jaffar, with friendly answers and valuable presents. Jaffar was not long at Shiraaz before he discovered that his uncle's courtesies concealed a trap for his father, to whom he lost no time in returning by stealth, although not so secretly but that Zekki was informed of his movements, and endeavoured to intercept him: failing in which, he placed three other of Saddek's sons at Shiraaz under arrest. All that Saddek was enabled to do, in consequence of this intelligence, was, to provide for his own safety; for desertion soon reduced his followers to a retinue of three hundred persons, with whom he fled to the Kerman, where he found resources for re-appearing on the scene of action. Zekki had no sooner put Saddek to flight than he began to make dispositions for marching against Ali-Mourad. These were effected with such promptitude, that in eight days he was ready to quit Shiraaz, where he left one of his sons in charge, taking the route of Isfahan, and conducting in his train Aboul Fettah, Mohammed Aali, and his three new prisoners, the sons of Saddek, to wit, Mattakki Khaan, Aali-Naghi Khaan, and Hassan Khaan.

The first resistance he experienced was at a small town called Yezdekast, at which he arrived on the seventh day's march and halted the eighth to refresh his troops, and to get possession of some money he had intelligence of. Non-compliance with

* This is the same so frequently disguised by western historians under the corrupted sound of *Amurath*.

with his requisition, on this point irritated him to such a degree, that in his rage he threatened the city with destruction, and actually committed such violence, that a plot was immediately laid to anticipate his vengeance: the execution was neither tardy nor difficult; the cords of his tent were cut the same night; it fell over him; and before he could extricate himself from the superincumbent weight, he was pierced with a hundred wounds, and left dead on the spot.

Aboul Fettah was released by the army, and placed in the command by acclamation: his first act was to notify the event to Aali Murad, and on receiving a dutiful answer from this latter, he returned to Shiraaz, where he was inaugurated as chief of the nation; for, after his father's example, he would not assume the kingly title) on 21st June, 1779.

Almost all the Khaans sent him their submission, the Pasha of Baghdaad even complimented him in the name of his master the Othman *Sultaan*, Abd'ul-hamed; and a fresh dawn of tranquillity and happiness again appeared over Persia. This was obscured before two months were hardly at an end by the appearance of Saddek Khaan; against whom Abdul Fettah had not conceived any suspicions; but confiding in his professions and demonstrations, received him into Shiraaz without precaution. It is painful to have to recount fresh crimes, and to have fresh complaints to utter, that there should be always in this world a succession of men worked upon by the mania of governing others, when they know not how to command themselves, but so it is; and in a few days after his entry, that is to say, on the 26th August, Saddek contrived to surprise his nephew, made him captive, and put an end to his hopes by the cruel operation we have had the pain of recording so often.

It may nevertheless be supposed that Saddek would have stopped here without further effusion of blood, if Aali Mourad had not taken up arms a second time, and after some advantages over minor provincial competitors, taken possession of Isfahan in the name of Aboul Fettah, towards the end of December, 1779; and in the spring of the following year, adopted the resolution of laying siege to Shiraaz, which he accordingly invested in the month of June. We have already had occasion to remark the want of skill and science in this branch of the military art, among the Persians, a want of proficiency common to all the parties, so that the city was, in fact, more blockaded than besieged: more than six months passed in impotent efforts, on both sides; till, at last, about the end of February 1781, Aali Mourad, by corrupting the guard of a certain gate, gained possession of the city; and Saddek was forced to take refuge in the citadel with slender means of resisting so sudden a turn of fortune. Finding himself unable to protract the defence of the fortress, he attempted to negotiate a capitulation, but without effect: and he was obliged to surrender at discretion. The conqueror, for the moment, confined his vengeance to putting out the eyes of the conquered prince and of his son and grandsons, to the number of twenty-six persons: but a few days afterwards Akbar Khan, the son of Zekki, received orders to put them all to death except Jaffar Khan, who was spared. The death of Akbar

closely

closely followed that of Saddek: the one was the result of a semi-barbarous system of policy; the other was the just punishment of treachery and ingratitude. He was detected in the design of assassinating Aali Mourad, and condemned to die by the hands of Jaffar, who, having to avenge his father and brothers, undertook without reluctance the office of executioner.

We must not omit to state, that during the siege of Shiraaz, the famous Azzad Khaan died in his palace of a natural death, aged 66 years. His funeral obsequies were celebrated with much pomp, in October 1780; and after the siege his wives, children, and slaves were permitted by Aali Mourad, in conformity to the testamentary dispositions of the deceased, to retire with his property and to convey his corpse to Kaboul.

The fall of Shiraaz caused all those who held for Saddek in the south to lay down their arms, an example which was speedily followed in all the north; there was only the Mazanderan and Ghillan, where the inhabitants refused to adhere to the general voice, and declared they would only yield obedience to Agha Mehmed Khaan.

The reader will recollect that when Mohammed Hassan, chief of the Kadjars was slain in 1759, by the troops under Sheik Aali, his seven sons were conducted prisoners to Isfahan, and were rendered hostages by the Vekil; the second of these was the personage we are now about to treat of, who has since been long known to the world as the ruler of Persia, but generally by the designation of the old eunuch; having been emasculated at a tender age by order of Naddir Shah, in one of the fits of cruelty that marked the latter part of his reign; the youth having fallen into his hands at the capture of some strong hold, in quelling one of the many insurrections that broke out after the Shah's return from the expedition to Hindostan.

After the death of the Vekil, Agha Mehmed Khan escaped from Shiraaz with two of his brothers, Jaffar-kouli Khan and Ali-kouli Khan, and reaching Astr-abad, possessed himself of that place, the peculiar domain of his other brother, Moustafa, levied troops amongst his national tribe the Kadjars, and the Turkmans of Khorassan, and became eventually master of Taberistan and of all the rest of the Mazanderan. During the siege of Shiraaz, by Aali Mourad, he passed the Caspian mountains and took Kasbin. When Aali Mourad, discerning the danger of the five important provinces of the north falling a prey to an adventurer, whose pretensions were but too evident, instantly detached against him a body of thirty thousand men, under his son Sheik Veis, who used such diligence, that he arrived under the walls of Tehran before the end of June, 1781, and obliged Mehmed to repass the mountains. During this campaign Moustafa driven by Mehmed from Astr-abad, came and offered his services to Sheik Veis, bringing with him his youngest brother Morteza-kouli. The two warriors were favourably received, and obtained commands. The next campaign, of 1782, was marked by failures; that of 1783 was less active, operations being mostly of an indirect nature in the province of Ghillan, which were the cause of much misfortune to Hideat the Khaan of that province; but the year

1784

1784 was much more favourable to Sheik Veis, who after successively driving Mehmed from post to post, at last obliged him to throw himself into Astr-abad;* where he was expected soon to surrender; but Persia had not yet reached the measure of its misfortunes, and Mehmed held out; while the Turkman's acting upon the line of Sheik Veis's communications, cut off his convoys, and reduced him to such straits that Aali Mourad found it necessary to leave Isfahan on the 24th July, 1784, and advance to the succour of his son.

This assistance enabled Sheik Veis to carry the place before the end of summer, Mehmed fleeing with his brothers Jaffar-kouli and Ala-kouli to Bostan, a city which was the patrimony of his family, which contained all that he held most precious; and where he kept in confinement, for reasons unknown, his brother Reza-kouli, who was one of the principal officers of Aali Mourad when the army of that chief revolted at Isfahan; he then retired with eight hundred Kadjars, which he commanded, to Shiraaz and remained there during the siege. Notwithstanding the strength and resources of his position, there would now have been an end of the future tyrant of Persia, if Sheik Veis had not unseasonably disgusted his army, insomuch that it mutinied after blockading Bostan for two months, and Sheik Veis was obliged to escape for his life with three or four thousand men, comprehending his own body-guard, to Tehran, while the mutineers seized the military chief and marched southward. Aali Mourad much affected by this reverse, and endowed with sagacity to appreciate all the importance of the incident, determined to charge himself with the interception of the deserters at Isfahan: but in a trying winter's march thither, the roads being covered with snow, Aali Mourad, sickly and weak, fell a victim to his exertions, and died on 11th February, 1785, at the village of Agha Kaamal; three small days journey, (or about 60 miles) from Isfahan.

It so happened that, at this precise time, Jaffar Khaan had quitted his government (of Shouster) and had marched towards the capital at the head of such troops as he could collect, without its being clearly understood whether he came to the assistance of his half-brother, Aali Mourad, or whether he meditated the depriving him of his crown. Be it as it may, he arrived just in time to disconcert, on the one hand, the plans of the principal minister of state, Mirza-Rebbi, in favour of the son or brother of the deceased, and on the other to defeat the designs of the governor of the city, named Bagher, for himself. The troops during this short interregnum, had began to commit all imaginable excesses, when Jaffar reaching the environs of Isfahan, although with a very few thousand men, yielded to the instances of the inhabitants for their deliverance from tumult, and entered the capital on the 18th of the same month. Sheik Veis who had set out from Tehran on the first news of his father's death, and travelled post-haste, attended only by

* These successes of Aali Mourad's arms were celebrated throughout Persia by *fêtes* of extraordinary magnificence, particularly at Isfahan, where the rejoicings are described by an eye-witness, Monsieur de Ferrières-Sauvebœuf.—Mémoires Politiques et Geographiques. T. 1. p. 291.

by a few individuals of his household, now arrived without precaution or suspicion, and found himself a prisoner in chains, before he could recover from his first astonishment.

Jaffer at the same time seized all the other children, and kindred of Aali, as well as other persons whom he judged adverse or dangerous; and, in the beginning of March, assumed, like the two last incumbents, the title of *Vekil*, or Lieutenant-general of the kingdom of Persia.

The army of Jaffar was so much more numerous, than the revenue of the state could provide for, that he soon began to find his means of payment very deficient: this obliged him to have recourse to such expedients of personal severity, towards the richest of the nobles, and the principal monied men of the metropolis, as led the sufferers to invite Agha Mehmed Khaan, to come to their relief. He was now freed from all his enemies; and, as soon as he received the letters of the mal-contents, put himself in motion for Isfahan, with a force which was every day receiving augmentations, from the wreck of the late contending armies, and reached that city, on the 6th May, 1785: Jaffar had left it two days before, taking the road of Shiraaz; he carried off with him the sons of Aali Mourad whom he took the customary precaution of reducing to a state of blindness. Mehmed did not long remain inactive at this place, for on the 15th June we find him engaged in an expedition, against the western provinces, very impoliticly conceived, and conducted with so little skill, that he was defeated by the mountaineer inhabitants of the Loristan, and obliged to betake himself again to Tehran, of which turn in affairs Jaffar availed himself to return to Isfahan the latter end of August. To relate the remaining events of the war between the two principal competitors, diversified only by the troubles produced by collateral rivals, would only be a repetition of the scenes we have already so often had to describe; suffice it to say, that while Mehmed was consolidating his power in the north, Jaffar was not less intent upon mantaining obedience in the south, where he sent his son, Loutf Aali, with a chosen body of cavalry. This prince was then about thirty years of age, born with the happiest disposition, and trained to arms under Aali Mourad. While the son was thus actively and successfully employed, the father marched from Shiraaz in May, 1788, with an army, not less than 50 thousand men, towards Isfahan, which he entered, for the third time, on 21st October: Ala Kouli, who held it for his brother, Mehmed, to whom he had always remained attached, having evacuated it some days previously, and taken, with his army, the route of Teran.

At this conjuncture, Loutf Ali had just returned triumphant to Shiraaz, from his southern mission, and had, on his arrival, expedited a courier to Jaffar, demanding permission to come and join him, when he learnt that his father abandoned Isfahan, for the third time, and was actually on his way back to Shiraaz.

In fact, Jaffar had left it precipitately on 2nd November, owing to a report that Ismael Khaan, son of Soggiadi Khaan, a brother of Kerrim (who died before the vekil) and his own cousin german, whom he had treated with violence

violence and indignity to extort money, was approaching with a considerable army, entrusted to him by Mehmed :—what gave rise to this rumour was Ismael's having, in fact, tendered his services to the eunuch, with an offer of serving his cousin Jaffar against whom he sought revenge for the outrages he had suffered at his hands. He had been received with distinction by Mehmed, and retained at his court, with promises of employment; but Mehmed ever on the watch, to nip competition in the bud, instead of giving him the expected command, had him surprised at one of the numerous entertainments given to him by the courtiers, and put out his eyes. So that, in fact, Jaffar had run away from a phantom of his own imagination, or his conscience, and could not be prevailed upon, even when undeceived, either to return or to permit his son to carry into execution, the vigorous counsels he had not ceased to give his father, from the moment he had recovered his astonishment, at their meeting. Loutf Aali was sent back to finish what was left undone in the south, and Jaffar remained at Shiraaz, under a course of medical treatment, which some experiments he had been trying upon his constitution, to counteract corpulency, rendered necessary. His own imprudence, in the first case, and the ignorance of his physicians in the second, had reduced him so low, that his life began to be despaired of, when his dissolution was unexpectedly accelerated by a conspiracy among some thirty princes, or nobles, detained as state prisoners or hostages, in the interior of the palace, who, by means of a ladder, gained entrance to the royal apartment, and cut off his head, on the 22d January, 1789. The conspirators had, at the same time, formed intrigues and cabals in the city, where measures were taken so well, that on the signal given, by throwing Jaffar's head from the palace terrace, the principal posts were surprised, and, together with the citadel, already in the hands of those in the secret, before the regent's death even was known to the inhabitants of Shiraaz, by the lower classes, of whom he was in general regretted, having always preferred emptying the pockets of the rich to excessive taxation of the poor. This, in fact, was the key to the conspiracy; the first object of which being thus accomplished, the next was to elect a new chief before the return of Loutf Aali, whose merit and popularity rendered him a stumbling block to the designs of all pretenders to the throne. Seyd Mourad one of the conspirators, was the one who, from having early taken his measures, and secured military support, forced, in some sort, the assembly of his associates to declare in his favour. He was a nephew of Aali Mourad and of Jaffer, the same whom Sheik Veis joined at Kom, in 1781, he was afterwards, during the regency of his uncle, for three years governor of Fars-estan. When shortly after the death of Aali Mourad, Jaffar came to Shiraaz with the remains of his army, Seyd Mourad was undecided on the point of refusing him admittance; nor did he allow him to enter the city till he heard that Sheik Veis was prisoner, and incapacitated from reigning. Jaffar had dissembled his resentment, and even continued to treat his

his nephew with distinction till he found a pretext for placing him under confinement in the palace, about the month of April, 1787.

When Loutf Aali learnt the death of his father, and the means by which it had been effected, he quitted his army, where he supposed some ramifications of the conspiracy might have reached, and went to Abousher; where, by the good offices of the Sheik (Nasser) of that place he soon collected the means of asserting his pretensions as heir to the deceased regent. Counting more on the fidelity, than the number of his followers, he did not hesitate to march for Shiraaz with only two thousand cavalry, and at the head of that small force entered the city in defiance of the conspirators, on 6th May, 1789, the people having declared openly for him. Seyd Mourad, and all the others who like him had been accessary to the murder of Jaffar, were punished with death: as for their less guilty accomplices, some had their eyes put out, and the rest were " bastonaded."

Seyd Mourad had called Agha Mehmed Khan to his help, and the latter was on his march for Shiraaz when he was informed of the re-entry of Loutf Aali Khan and the death of the conspirators. He had with him his brothers, Jaffar-kouli and Ala-kouli. Moustafa had been blinded in the course of the preceding year, and Reza-kouli, who was confined in a castle of the Mazanderan, had found means to escape and reach the Touran.

Loutf Aali had made such good use of his time in organizing his army, that Mehmed having reached the vicinity of Shiraaz, towards the latter end of June, Loutf Aali was ready to give him battle with a well appointed force, of 30 thousand men, by the 7th August, 1789.

Victory had almost declared for the juster cause, when the defection of Loutf Aali's left wing, under Mohammed Khaan, produced such discouragement among the rest of the troops, that they retreated in disorder to the city, and Mehmed recovered from his fright, gained the day: nevertheless he was able to make so little impression on the place after 40 days attack, that fearing a blockade, in his turn, from some intelligence he received, he evacuated his camp on the 20th September, and retired to Tehran.

Loutf Aali availed himself of this retreat to pursue and punish those who had so shamefully deserted him in the field, and to make an attempt against Isfahan by surprise: but being thwarted in the outset, by several untoward circumstances, he was constrained to renounce that enterprise for the present, and returned to Shiraaz, where he employed the winter in giving stability to his government, by the restoration of order, and in endearing himself to the people, by remedying, as far as in him laid, the evils which civil troubles had done to agriculture, and to the useful arts of life.

In the following spring, 1790, Mehmed repeated his customary annual visit to Isfahan, but did not attempt any thing against Shiraaz, and returned to Tehran, whither he contrived this year to inveigle his brother Jaffar-kouli, who had left him in a fit of ill humour and disgust, and having him in his power, after a reconciliation, to all appearance the most complete, caused him on taking leave, to be attacked by two armed men and massacred before his eyes.

Loutf Aali meanwhile had not confined himself merely to the formidable

reform of abuses, and to the making good and wholesome laws for the part of the kingdom he governed; but had prepared the means for bringing the rest of Persia under his dominion. The inhabitants of Isfahan especially, ashamed of the eunuch's yoke, waited with impatience for the appearance of Loutf Aali before their walls; but his departure from Shiraaz was the forerunner of misfortunes that terminated with his life. The ambition of the person to whom he entrusted the government, the inconstancy of the multitude, and the treachery of those in whom he placed confidence, led to Mehmed's gaining possession of his capital in the course of the following year, and finally to his person being delivered up to that implacable enemy, who, after pulling out his eyes, only prolonged his life to add insult to cruelty.

Mehmed returned to Tehran in September, 1793, dragging his prisoner after him to adorn his triumph, exposing him thoughout his progress to the curious gaze of the populace; and in the course of the winter put him to death, with such of his relatives as shared his captivity.

Thus perished in the flower of his age a prince of whom Persia still deplores the misfortunes, and will long continue to regret the loss. If Jaffar had lived a few years longer; and above all, if he had shewn less harshness towards the rich and powerful, and less timidity towards his enemy, he would not have prepared calamities for his son, and thereby prolonged the troubles of his country: for the latter would undoubtedly have destroyed the ferocious Mehmed, and taken rank amongst great men, that is to say, among the benefactors of mankind.

The plan of this register not admitting of graphic embellishment or illustration, it is to be feared the reader, not versed in oriental geography, will have been wearied by the frequent repetition of names of places, without a clue to their relative positions. Prior, therefore, to entering on the reign with which we are about to conclude this memoir, we will avail ourselves of this natural pause in the historical part of our work to give the reader a bird's-eye view of the territorial division of certain countries, which will be more frequently named in the following pages, than heretofore; countries more celebrated than known.

The space comprised between the Euxine and Caspian seas is divided into divers states or provinces, which either belong to, or depend on, Persia, Russia, or the Othman porte respectively. Mingrelia* and Guriel† on the Black sea, as well as Immeretta‡ are governed by princes, nominally tributaries to Turkey. Dagh-estan, Tabesseran,

* Mingrel, or Minjrelia, it situated between the rivers Kodours *(Corox)*, and Rioneh (Phasis), the first parting it from the Abazian country, and the other from Immerella. It is about 100 miles long, by 60 miles broad. *(Chardin.)*

† Guriel is a maritime district, extending from the river Rioneh to the Othman castle of Gonieh. *(ibid.)*

‡ Immeretta, the *Iberia* of the ancients, in 26 miles long by 60 miles broad: it contains three castles, viz. Scander on the side of a valley, and two on Caucasus, which are Regia and Scorgia. The fort of Cotatis, on the Rioneh, once belonged to this jurisdiction, but now to the Turks. *(ibid.)*

Tabesseran, Shirvan, Moghan, and Ghillan, all on the western coast of the Caspian, form part of Persia, and are governed by khans. Ghiorgiestan* in the centre, was, up to the year 1783, under a Czar, (prince) reputed the vassal of Persia. To the north are the Abbazes,† and the Cherkez,‡ contiguous to the river Kouban, who from their strong defensive position, amidst the fastnesses of Mount Kabkas, *(Caucasus)* have generally maintained a great degree of independence, both of Russia and Turkey, measuring their submission to either, by the circumstances of their particular interests during peace, or by the balance of military preponderance during war.

To the south is Ermeni, (Armenia,) that part of which extending from Trebizond, into the interior, as far as, and comprehending the fortified cities of Kars and Ackalzikkeh,§ belongs to the Porte,|| and is administered by Turkish *Pashas*.¶

* This is the Georgia of European writers in general; the Russians call this country Grusinia; but the natives call themselves Carthueli. The European appellation is credibly derived from the greek *Geurgoï*, *i. e.* "labourers of the earth."

† The coast of the Abbazes, (denominated in some old maps, *Abças*) has one fortified town called Annapa, (lately taken by the Russians from the Turks) standing on a promontary at the entrance of a bay which offers temporary anchorage to shipping, and two indifferent harbours more to the southward, named Soqhudjak and Ghelindjik.

‡ The Cherkez are the people we chuse to call Circassians; they were named by the ancients *Zugæans*, or mountaineers; Pomponius-Mela calls them Sargacians.

Shiraaz is about five days journey by caravan, from its sea port Abou-sher; it is the capital of the province of Farsistan, and stands in an extensive and fertile plain; it is a walled town, and contains a numerous and active population; it has been celebrated for the manufactory of glass, and its wine is renowned through the East. The writer has drunk of it, so far distant from the place of its growth as is Constantinople. Niebuhr relates of its climate, that in the night of 2d March, 1765, it froze so sharply, that the waters had ice on them, in the morning as thick as the back of a knife.

§ This Turkish frontier fortress, is 5 leagues from the river Kur, or Kour, (*Cyrus*.)

|| As correctness is desirable, it may not be amiss to make a short pause at these words, which have been unaccountably naturalized amongst us, with what propriety, or from what necessity, the reader will judge. Porte is French for *cappi*, a gate or entrance, a frequent oriental figure of speech to express a dwelling. At Constantinople it is used to describe the official residence of the Grand Vizier, under whose roof most of the offices of government are collected, something like as at Somersethouse, and where the several Ministers of State are in daily attendance. Hence it is applied in diplomatic language to the government at large; in which sense it is employed in the text to distinguish the policy of the Ministry from the feelings of the Court. *Osmanli* is the vernacular designation of the nation, we call "Turks," who never use that appellation amongst themselves, but as a term of reproach generally applied to, or descriptive of, persons whose manners are rustic or boorish.

¶ The Turkish term *Pasha*, is formed of two Persian words *pa-sha* which verbally means vice-roy: every Pasha of the first class, denoted by the insignia of three horse-tails, carried before him on a march, or fixed at his quarters, is in fact a *Vezir* (lietrally *wazir*); but the former, *Pasha*, is the customary title, which in Turkey always follows the name, with the sole exception of Princes of the Blood, in contradistinction to Princesses, the title *Soultaan* (Sultan) being common to both. Thus they say, Sultaan Mahmood, but Haddijeh Sultan. The term *Sultana* is a non-entity, and its vulgar application to the female partners of the Imperial couch an absurdity; they are styled *Kaddin*.

Russia, which ever since the reign of Peter I. had adopted the extension of its already vast territory, as a system, after successively uniting all the countries situated between the sea of Azof (*Palus Mœotis*) and the mouth of the Volga, advanced her frontiers to the roots of Caucasus; but till the reign of the Persian ruler, now under consideration, had not formed *permanent* establishments beyond the river Terrek, which flows into the Caspian, about one hundred miles from Derbend. But her system on this side, received complete developement by the convention concluded on 24th July, 1783, between Catherine II. and Heraclius, consisting of 13 articles signed on the part of Russia, by Princes, Paul Patiemkin, (Potemkin) and Ivvan, (John) Bagration; and on that of Georgia by Garsewan - Chawts - Chaadsef. The principal stipulations of which document were, the renunciation by the *Czar*, (Heraclius-Teimourasovitch) of Karduel and Kacket, (for so is the prince of Georgia styled in the text) of all dependance upon Persia, declaring that he acknowledged no earthly power superior to himself, *save and except* the imperial throne of Russia. In return for which that power guaranteed the integrity of his actual and future possessions, as well as the hereditary succession to the principality, reserving, however, a right of *investiture*; the ceremonial of which is detailed in the treaty. Diplomatic, commercial and fiscal arrangements form the rest of this state paper, which appears, notwithstanding its importance, to have occupied little of the attention of the Western world. It, however, was the seal of Russian supremacy in the East. It was concluded four years after the death of Kerim Khan, at a time when the different pretenders to the Persian government, while making war amongst themselves, were creating the causes for collision with Russia, sooner or later. Perhaps the latter speculated on a dismemberment of the kingdom; but if so, in that she erred, for the year 1793 found Agha Mehmed Khaan, sole and absolute master of Persia, and at the head of a considerable and warlike army.

His first political measure, after destroying Loutf-Aali, and after the submission of the South, was to summon Heraclius as a feudatory to his court, with the regular tribute due to the state, and customary presents to the sovereign, and to receive his *fermaan* (edict) of investiture. The latter desirous to gain time, gave evasive answers, and it was not till a peremptory command, that he made a categorical declaration of the new relations subsisting with Russia.

This refusal determined Mehmed to maintain the rights of the crown he had usurped by force of arms. In the autumn of 1794, he had ordered all the *Khans*, chiefs and tribes, to meet him with their contingents of troops at Tehran, before the end of winter, which was punctually obeyed. In April, 1795, he reviewed this force, amounting to more than four-score thousand men, and marched at their head to Kasbin, leaving his nephew, Babba Khaan, son of his eldest brother Hussein Kkáan, in the principal government of the Southern provinces.

When he got to Ardebil, he formed his army into three divisions. The first was sent into the Moghan,

Moghan, Shirvan, and Dagh-estân.* The second was ordered to march on Errivan, whither, on the first appearances of hostility, the son of Heraclius had been sent with a considerable force. The third, under the personal command of Mehmed, moved against Chutche, (or Choss) a city of the upper Armenia, strongly situated on an eminence, 20 leagues from the river Araxes. It was held by a Khaan, named Ibrahim, who, in the hope of succour from Georgia, opposed a resistance, which was so little expected by the assailant, that not being provided with battering artillery and the other requisites for a siege, he merely left a sufficient force to mask the place, and proceeded to join and reinforce the second division which had also met with a check at Errivan. The defenders of Errivan did not, however, wait for his arrival before the city, but sallied forth to meet him in the field, where Mehmed, after a display of valour worthy of a better name, gained a decisive victory, established a strict blockade of Erivan, joined the first division of his army at Candjea, and moved with such rapidity towards Teflis, that Heraclius, who did not expect that the capital would be approached till after the fall of the two cities already named, abandoned his residence, retired to Kacket, and Mehmed entered the metropolis of Georgia without resistance, in October, 1795, after levying a heavy contribution on the country, causing the death of numbers, and making fifteen thousand of the inhabitants slaves, dismantling the the castle, &c. the invader retired. The example of Teflis brought the Khaans of Errivan and Chutche to reason; they soon entered into capitulations, by which the Georgian prince was allowed to return home after engaging for his father's renewal of obedience and fidelity. The object of the campaign thus obtained, Mehmed reformed part of his army, and removed to Tehran for the winter.

Heraclius had not neglected on the burst of the tempest, to claim the stipulated succours of Russia, through the medium of the go- governor-general of Caucasus, named Goudovitch; but that officer, not conceiving the danger so imminent as represented, had not judged it necessary to move, and had even been dilatory in making his report to St. Petersburgh. But the empress Catherine was no sooner informed of what had happened, than she directed a general, named Savchif, who commanded a small corps of troops on the frontiers, to advance and occupy Derbend, without loss of time. Her orders were followed, but the place, too strong for a *coup-de-main*, not yielding to a summons, and the season being too far advanced for regular operations, the winter passed without further hostilities on either side. During this season, general count Valerian Zoubof, (brother to the empress's last *favourite*) was charged to assemble the whole disposable force of the frontier, and act offensively. The campaign opened in April, 1796, by the army, about 35 thousand strong, passing the Terrek, attacking and taking Derbend, and advancing by the sea shore as far as Backow, while a flotilla, with four thousand troops on board, kept pace with them.

* *Dagh*, mountain, *Estaan*, country or land, tantamount to the well known name given to a district of Scotland—" The Highlands."

General Zoubof met with hardly any thing that deserves the name of resistance; and having occupied Backow without disturbing the inhabitants; finding the health of his army materially affected by the summer heats near the sea, removed, in June, to a more salubrious situation, ten or twelve leagues in the interior, being a cool valley, near the sources of the Atchai, a rivulet which flows into the Caspian, twelve leagues north-west of Backow.

He remained in this camp till August, when he advanced to Shamaki, (the old) where he passed the remainder of the unhealthy season till October: he then broke up, and emerging from the mountains, suddenly appearing before New Shamaki, situated five or six leagues from the other, the Persian commander fled, and the Russians entered the place.

From hence General Zoubof detached a corps, under Lieutenant-general Korsakof, to take Candjea, and ascending the river Kur, as far as Teflis, to occupy the whole of Georgia. The main army moving southward, after passing the river about twelve leagues from its mouth, found itself, at the beginning of winter, in the Moghan, and encamped nearly at the spot where Naddir was proclaimed *Shah* of Persia, by the deputies of the nation, in 1735. It was he e determined to await the return of spring; when, in the month of December, the general received the news of Catherine's death, and orders to retreat, which was done in good order, and unmolested.

During this campaign of the Russians, Mehmed was in the Khorassan, which it will be recollected, was, in 1752, erected into an independent sovereignty, for Sharokh. He was bent upon expelling from thence the descendants of Naddir, whose rights to his throne he was not ignorant of; but it seems surprising that he should, after giving such umbrage to Russsia, as he must have been well aware his ravaging Georgia would do, chose this moment for intestine war.

Whatever were his motives of conduct in this particular, as soon as the troops, to whom he had given leave of absence till the month of March, had rejoined their colours, he took his way to Mazanderan, about the same time that the Russians passed the Terrek: and after a short stay, for refreshment and supplies, at Astrabad, he marched strait to Meshed, where Sharokh was still living. This prince had been a quiet witness to all the revolutions of Persia for more than forty years, satisfied with maintaining the tranquillity of his dominions, which he governed by means of his eldest son. The appearance of Mehmed left him no doubt as to his designs; and being unfit for resistance himself, he contented himself with advising his sons to provide for their own safety, and went forth to receive the invader with suitable presents. He, perhaps, flattered himself that the usurper would respect in him the grand-son of Naddir, raised to the supreme dignity, by the act of the people; that he would have for him the same regard that had been shewn by Keuim Khan, regent of Persia, by Ahmed,* king of Kandahar; by

* In the year 1748, an army of Afghans, from Kandahar, invaded the northern provinces of the Mogul's empire, under the command of Ahmed, the *Abdalli*,

by Temour Shah, his son; by the sovereigns of Balkh, Bokharra, and Sammarkand; and by the Afghan prince reigning at Herat: but Sha'akh seems not to have known that there is nothing sacred for one tormented by ambition and avarice.

Mehmed received him at first with princely courtesy, accepted his presents, merely asked supplies for his army, and accompanied him to Meshed.

But here the scene changed.—The eunuch lodged himself in the royal palace, where he constituted its blind master a prisoner, demanded the seal of state, and the surrender of all his treasure. Sharokh laid aside the ensigns of his dignity, and put Mehmed in possession of all the riches of the crown; but was unwilling to deprive his children of the last resource they possessed in his private property, which he therefore concealed. Mehmed, persuaded that some remnant of the wealth of Hindustan must remain in the hands of the conqueror's heir, was transported to rage, and proceeded to enforce entire compliance by subjecting his captive to the punishment of the bastonade on his feet, and to the torture of burning with red-hot irons on other parts of the body. This obtained the desired disclosure, and Mehmed seized the whole.

After this barbarity, and exhausting the province by the wants of his army, he left Meshed, in August, to the care of a strong garrison, and returned to Mazanderan, taking the hapless Sharokh away with him. The autumnal season in that province, is marked by the diseases incidental to marshy situations by the sea; the army suffered exceedingly from sickness, and Sharokh was included in the mortality. He was advanced in years, (being born in 1733,) and had left Meshed as an invalid, dragged from his bed, where he was confined, in a crippled state, to a litter, which was the only conveyance he was fit for. In the environs of Astr-abad, he was attacked by violent internal pains, and carried off in a few hours; but whether by the dysentery prevalent in the army, by the consequences of the usage he had previously undergone, or by more active means, is not for us to determine.

Mehmed entered Tehran on the 20th of September: in the month of March, he quitted it to march a second time upon Teflis, and retake Backow and Derbend, which the Russians, in evacuating their other conquests, shewed a disposition to keep. His army was in superior order, and was encamped near Chutche, ready to enter upon its operations with every prospect of complete success, when its progress was arrested by an unforeseen event.

On the 14th of May, 1797, at the point of day, Mehmed passed from the tent in which he slept to another beside it, where he passed the day, and transacted business; and

so called from his tribe. This man was treasurer to Nadir Shah, when assassinated on the 8th of June, 1747, in Persia; on which event he went off with all the treasure under his care, and in less than six months established himself in the sovereignty of all the provinces of Hindostan, ceded to the Persians in 1739, and of as large a territory on the other side of the mountains. Orme's *History of the Military Transactions of the British Nation in Indostan, from the year* 1745. Vol. I. p. 122.

and into which access was permitted only to his domestics, to the minister of state, and to general officers. After the *Namaaz*, (a prayer, the recital of which, five times a day, is a strict precept of Islamism,) he called for his *Narghil*, (an utensil for smoaking tobacco, like the Indian *hooka*.) There happened that day to be in waiting only one of the two attendants usually about his person, and this man, while the king's hands were employed in receiving and adjusting the *Narghil*, plunged a dagger twice in his bosom, which killed him without his uttering a cry.

The motives of this assassin, named Pitch Hesmet, were accounted for by his having had a brother put to death, the year before, by the king's order, upon some unjust accusation, and his having been himself threatened with a similar fate, in a moment of irritation, for some venial fault the day before. But a more certain explanation is to be found in the conduct of Saddek Khaan, one of the generals of the army, who had access to the royal tent, who entered it immediately after the murder, who favoured the evasion of the murderer, who took the king's treasure in his custody, and who, shortly after the deed, came forth, furnished with an order, under the privy seal, for his immediately marching with the ten thousand men under his direct command, upon a detached service.

Saddek Khaan rightly judged that, as soon as the king's death was known, his army, deprived of its head, without provisions or money (he having abstracted the military chest) would be disorganized, and that most of the malcontents would follow him, as was the case.

In fact, before a year expired, this ill-fated country was disputed by no less than four principal pretenders, viz.—

Saddek Khaan, who went to Tavris, on quitting the army, and soon became master of all the Adesbidjan.

Ala-kouli Khaan, Mehmed's brother, who formed a party at Isfahan, and in the Mazanderan.

Mohammed Khaan, son of Lekki Khaan, the same who abandoned Loutf-Aali Khaan, at the point of victory over Mehmed. He had raised some soldiers among the Arabs, in the Loristan, and had marched upon Shiraaz, but could not make himself master of the city.

And, lastly, Babba Khaan, who was, as has been stated, governor of Shiraaz. At the first news of his uncle's death, he had flown to Tehran, where the bulk of his treasure was deposited, and there caused himself to be recognized regent, leaving his brother Kutchouk Khaan at Shiraaz, with a force competent to overawe the South.

Between these pretenders, happily or Persia, he who fixed the inclination of the people, he who was, in fact, most worthy to reign, was called to fill the throne.

Babba Khaan, master of the pecuniary means, of the majority of the army, and of the three capital cities of the kingdom, carried the day. Seddek Khaan entered into negotiation. Ala-kouli was deserted,

serted, captured, and subjected to the inhuman and disgusting precaution we have so often related, till the reader must be as wearied as the writer with the repetition, of loss of sight, being a disqualification for the kingly office.

In 1798, Babba Khaan took the regal surname of Fettah Aali. He seems to have governed Persia with justice, while our own courtship of his amity is no mean proof of his energy.

Russia would enter into no stipulations with the new monarch, so that the war cannot be said to be at an end: and a remaining brother of the eunuch's is understood still to be a refugee in that country.

CHRONICLE.

MAHARAJA SERFOGI'S SARASVATI MAHAL. THE TANJORE

BENGAL.

Occurrences for JUNE, 1807.

June 2.—On Sunday last was launched, from Mr. White's building slip at Howrah, opposite to Calcutta, the new ship intended for captain Hugh Reid. This fine specimen of Calcutta naval architecture, made her *debut* under the name of the "Providence." Her *entreé* into the Hooghley, afforded a grand spectacle. The length of her ways being considerable, and the descent gradual, she glided along with an impetuosity rapidly increasing, till she triumphantly floated on the stream.

June 3.—Within the last eighteen or twenty years, two famines have occurred at Bombay, and one upon the Coromandel coast, beside the present. The number of lives saved, in consequence of the establishment of the British empire in India, and the measures thence flowing, in these four occasions of dearth, may, on the most moderate computation, be rated at two millions of souls.

June 6.—Intelligence has been received, which states that a serious misunderstanding had recently arisen at China, between a party of English seamen and a number of Chinese, in which one of the latter unfortunately lost his life; and, in consequence, the Chinese government had required a British subject to be delivered up, in order that he might be put to death, to atone for the blood of the deceased Chinese. This requisition, under the particular circumstances of the case, being opposed, the Chinese government had put a stop to all trade with the honourable company's supra-cargoes and their ships, until the offender be delivered up. This order was rigorously observed.

The affray, and unfortunate consequence of it, are said to have originated in the following circumstances:

A party of 30 or 40 seamen, from the Neptune Indiaman, being on leave of absence, at Canton, in the beginning of March, chanced to have a scuffle with a number of Chinese, in which several blows were exchanged; the Chinese, finding they were overmatched by the tars, precipitately retreated, threatening to return on the following morning, with reinforcements sufficient to ensure the due chastisement of the English seamen.

Accordingly, early next morning, a mob of Chinese, amounting to between two and three thousand, assembled opposite to the factory, occupied by captain Buchanan, of the Neptune. The Chinese proved turbulent, throwing

ing stones and brick-bats, and endeavouring to force the gate, which was prudently kept shut, and no person was allowed to quit the factory, in the hope that the mob would quietly disperse in the evening or during the night.

In this expectation they were disappointed. The blockade was maintained during the whole night; and there was no appearance next day of its being withdrawn. The besieged beginning to suffer much inconvenience, from their intercourse with the town and neighbouring factories being cut off, it was proposed to arm the seamen with common walking sticks, to open the gate, and to make a sally upon the Chinese, in order to disperse them. As no serious danger could be apprehended to either party from this experiment, matters were arranged accordingly; the gate was opened, and the sailors charged with such sudden impetuosity, that the Chinese were instantly put to flight, in all directions: many of them gained the river, and some of those, in running over the stones, in front of the factories, towards the beach, fell, and were bruised—others were beat and cut by the blows from the seamen; but there were no wounds given on either side that, at the time of the occurrence, occasioned anyalarm or apprehension. The mob dispersed and all appeared to be quiet. Most unexpectedly, however, one of the wounded Chinese died on the following day; this man had received a wound on the head,he walked home to his family, and made no complaint that could occasion any alarm for his life; nevertheless he died on the ensuing evening.

This event occasioned much uneasiness; but as the circumstances of the case were generally known, it was thought, notwithstanding the rigour of the Chinese laws, in cases of homicide, that the matter would be arranged without difficulty or inconvenience. It proved otherwise. In the course of a few days after the accident, a formal and peremptory demand was sent in from the Chinese government to the company's supracargoes, requiring the person who committed the deed should be given up. In reply to this requisition it was urged, that it was impossible to determine by whom the deceased had been wounded: that as several others, Chinese, had at the same time been wounded, and in the same manner, no evidence existed that could fix upon any individual the fact of having wounded the deceased, more particularly as the body had not been produced; and consequently, that there was no ground upon which the offender could be ascertained, and if any man were delivered up, he must be taken at random; and thus the innocent, equally with the guilty, would be subjected to the chance of punishment.

It was in vain to offer any argument to the Chinese government. They continued immoveable; and an order was issued interdicting all trade and intercourse with the company's ships, with the denunciation of severe penalties against its non-observance. Mowqua, a highly respectable and opulent inhabitant of Canton, acting as security merchant of the Neptune, was put under an arrest, and his property placed under seal, by order of the Hoppoa. This unfortunate man had at length been compelled to sign an undertaking to deliver up the offender, before the expiration of ten days, and in

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the event of failure in that condition, it was dreaded that both his life and his property would be sacrificed

The latter fleet, intended for dispatch to Europe in March, or early in April, was necessarily detained in consequence. The supra-cargoes had made a proposition to allow all the remaining Indiamen to complete their cargoes, and to sail, with the exception of the Neptune, which it was proposed should be detained at Whampoa until the adjustment of the differences.

Mr. Robarts, one of the honourable company's supra-cargoes, was to proceed to Pekin, in the expectation of obtaining the interposition of the Emperor, in the adjustment of the matter in dispute.

CALCUTTA, June 10.---The first half yearly sessions of Oyer and Terminer, and general gaol delivery, was held at the new court-house, before the honourable the judges of the supreme court. The charge to the grand jury was delivered by the honourable Sir William Burroughs, bart. who enumerated the offences in the calendar, and pointed out, in a perspicuous manner, the law as applied to each case, for the guidance of the grand jury in the execution of their duty. Sir William particularly complimented the vigilance of the magistracy of this extensive, populous, and flourishing city.

Collypersaud Hatterjie, and Ramconny Ghose, were first put to the bar, and tried for uttering a treasury bill, knowing the same to be forged.

Moden Mohun Seil, the first evidence examined on the part of the prosecution, stated, that he was gomastah to Bowanny Sing; that on the evening of the 8th October last, the prisoners came to his employer's shop, and addressing themselves to him (the witness), said they wished to negotiate a treasury bill for two thousand five hundred sicca rupees; on being questioned as to whom the bill belonged, they asserted it to be the property of a colonel in the fort, who was in immediate want of cash, which was the reason of their coming at that hour.

Moden Mohun Seil not being able to read the bill himself, sent it by one of the people belonging to the shop, to another podar, to get it read; the first person it was taken to, could not accomplish that object, it was, therefore, brought back with a message accordingly—and afterwards with the assent, and even recommendation of the prisoners, the bill was sent to another podar fully versed in the nature of securities of that description, by whom it was pronounced to be a fabricated bill, as appeared from the glaring circumstance of the principal sum of the bill being made for 2,500 rupees, whereas the rate of interest specified in print, in the body of the bill, was only nine pice per diem, (the daily interest on 250 rupees only)—The prisoners, on being thus detected, were unable to substantiate their account of the proprietor of the bill, or to give any satisfactory information whatever, how they obtained it. On being threatened to be put into custody, they implored forgiveness, but were, however, with the bill, immediately delivered over to the charge of a tanhadhar:—on cross examination, the witness said, he did not see any person come to the shop with the prisoners.

The officers of government who

exclusively signed the treasury bills, at the period the bill in question was dated, viz. 29th of April, 1806, deposed, that the signatures upon the bill purporting to be respectively theirs, were not of their hand writing; and they severally, by some other particular circumstances, clearly proved the bill to be a false one.

The prisoners set up a defence, endeavouring to shew, that they had only acted as brokers, (one of them being in that profession) in the transaction, the bill having been delivered to them by one Ramjoy Sidgar, for negotiation, and who had accompanied them on the occasion, but did not enter the shop; that another, Duloll, also went with them, and who settled the terms of discount, with Moden Mohun Seil.—No proof whatever was adduced in support of any part of the defence, and the jury, after a few minutes consultation, gave their verdict, pronouncing both the prisoners—*Guilty*.

Sir W. Burroughs observed, that during his residence here, a period of seventeen years, the present was the first offence for forgery *in print*, which had come before the court—His lordship also noticed, (as did the learned counsel in opening the prosecution,) that the attempt of the prisoners was of the most bungling nature, especially from the palpable difference in the specific rate of interest, and as evidently widely differing in several other particulars in the impression contrasted with that of a real treasury bill.

Mathias Ferroa, alias Mathew Ferroa, a native Portuguese, captain's cook of the ship Althea, was indicted for an assault, committed on the 16th of April last, on board the said ship, on her voyage from Bencoolen to Bengal; upon the body of Ally Mahomed, a mussulman boy, about five or six years of age, by running an iron instrument up the rectum of the boy, which produced a mortal wound, of which he languished and died in the course of a few hours.

The whole of the evidence being gone through, and the prisoner urging nothing material in his defence, the jury retired, and after a short absence returned with a verdict— *Not guilty of murder—guilty of manslaughter*.

The honourable the chief justice informed the prisoner, that in consequence of his having been punished on board the ship, on account of the offence of which he stood convicted, the court would exempt him from being burnt in the hand, which otherwise would form a part of the sentence to be passed upon him.

Andrew de Silva, (a native of Manilla,) was next tried, for the wilful murder of Bunnoo Maria, a native woman, by stabbing her in the breast with a knife; from the wound occasioned by which she almost instantly expired. The crime was perpetrated in the evening of the 24th Phagoon last, in the dwelling house of the deceased, situated at Cinhmun Lane, in Calcutta.

From the evidence adduced on the trial, it did not appear that any provocation was given by the deceased, to excite the prisoner to the commission of the foul deed, which was fully proved against him, without the slightest contradiction: the prisoner urged nothing in his defence. The jury pronounced him—*guilty*.

The honourable the chief justice then

then proceeded to pronounce the awful sentence of the law against the prisoner, and earnestly recommended him to devote the very short time left him to exist in this world in imploring forgiveness of the Almighty.

The execution took place on Saturday afternoon, at the usual spot.

June 12. --- Captain Webster reached Calcutta, with the unpleasant accounts of the loss of the brig Helena, late under his command, at the back of Saugor Sand: the crew saved, except two, who are missing.

Captain Webster gives an account of his having seen part of the wreck of another vessel, near the place where the Helena was lost, but could not ascertain what she had been: the natives however related, that several of her crew had been devoured by tigers, and others had proceeded up an adjacent river.

Fort William, June 18.— The honourable the governor-general in council has received the melancholy intelligence of the decease of colonel John Collins, late resident at Lucknow, on the morning of the 11th instant.

The public and private virtues which distinguished the character of the late colonel Collins, and his long and eminent public services, have rendered his decease a subject of deep regret and concern to the governor-general in council, and have placed the late colonel Collins among the number of those esteemed and lamented officers whose abilities and exertions have contributed to the honour and prosperity of the British government in India, and whose memory is endeared to it by the obligations of public respect, public gratitude, and public applause.

The body of the late resident was interred on the evening of the 11th instant, with the military honours due to his rank, and minute guns, answering to the years of the deceased, were fired as a testimony of respect to the station which he so ably and honourably filled.

His excellency the nabob vizier, in manifestation of his high regard for the late colonel Collins, and in honour to his memory, appointed one of his excellency's sons to attend the funeral procession, and prohibited the beating of his excellency's nobut, during the period of two days.

The funeral procession was also accompanied by most of the nobles and persons of distinction attached to the court of Lucknow, who testified, by this voluntary mark of public respect, the general sentiment of regret entertained for the loss of the late resident at Lucknow.

By command of the honourable the governor-general in council,

N. B. Edmonstone,
Secretary to the Govt.

June 19.---From the 30th ult. up to the present date, not a day has passed without rain. The quantity that has fallen during that time, has been rather too abundant to be serviceable to the indigo crops.

The fall of rain appears to have been very general throughout Bengal; and letters from Madras, of the 2d current, speak of gales of wind, accompanied with much rain, having been experienced along the coast.

June 20.---The following passengers, late prisoners of war at the Isle of France, which they left on the 6th May in the ship Catharine, (late H. C.'s ship Fame) have

have come round from Tranquebar to Calcutta, on the Gilwell.

Lieut. M' Carthy;—Lieut. Jackson:—Capt. Hunter, country service;—Mr. French;—Mr. J. R. O'Conner, and Mr. Masse.

Occurrences for July.

July 25.—On Tuesday last a melancholy circumstance occurred near Calcutta. Mr. B. a gentleman of good connections, in one of the western counties of England, and clerk in a public office here, had for some time formed a mutual attachment with Miss A. the daughter of a gentleman who had accumulated some wealth during a long residence in India, and was under the protection of her father, at a house in one of the villages about three or four miles from Calcutta. These young people, as usual, had exchanged vows of unalterable attachment; and, on the part of the gentleman, love got the better of judgment and discretion for the advancement of his views: he was listlessly in love, and, consequently, incapable of any prudent resolves. It was his custom, since the residence of the lady was so near Calcutta, to pay a visit every afternoon and remain till about eight. The father of the lady was of course acquainted with his attachment, and though he did not encourage his suit, he did not forbid him his house, or require an abatement in his attentions; his visits, on the contrary, were admitted with a species of indifference, as if the circumstance was of no importance or hazard. In this way things went on for many months. It is not the object of this account to draw the character of the father of the lady, but merely to shew the unhappy effect of his not pursuing the usual mode of conduct towards a young man whom he did not intend to make his son-in-law. He suffered the lover to see and to accost his mistress every day, but was inexorable to his prayers to join his daughter's destiny to his. The father might have had prudential objections to the match; but, whatever might have caused the repugnance of that gentleman to the marriage, nothing ought to have prevented the use of precautionary measures to separate the parties. On Sunday last the usual visit was paid, when the termination of it was fatal. Owing to some cause or other, not well understood, Mr. B. in a fit of sudden desperation, attacked Mr. A. with a knife, and wounded him in several places; he then stabbed himself, and afterwards cut his throat. The agonised feeling of the unhappy female, during this tragic scene, may be conceived, better than described. Application was afterwards made to the General Hospital for medical aid. The wounds of Mr. A. were discovered, on examination, not to be mortal. Mr. B. was removed from the spot, and languished till Saturday afternoon, when he expired.

Loss of the ship Fame, on the west edge of the eastern Sea Reef, five or six miles below the Reef buoy.

"July 26.—At one, A. M. weighed on the first of the ebb and made all sail; moderate breezes from the S. E. and clear weather; worked

worked the ebb-tide out, and at seven, A. M. anchored in six quarter fathoms, the reef buoy bearing W. by N. half N. distance four or five miles; saw a pilot vessel to the westward standing towards us; at half-past eight, A. M. the pilot schooner anchored, and kept the red flag flying at the top-gallant-mast head; at three, P. M. weighed on the first quarter ebb, in company with three other ships; fresh breezes from the S. E. and cloudy weather; at half-past five, P. M. shoaled on the eastern sea reef into five quarter fathoms; at quarter before six, P. M. the ship struck in four quarter fathoms, and unshipped the rudder; she directly wore round upon her heel; tried to steer her with the sails, but could not, as she was striking very heavy; finding we could not pay off, her head having come round to the eastward, and shoaling our water, let go the best bower anchor; veered out to a whole cable, fired a gun, and made the signal of distress to a ship standing towards us, which proved to be a frigate (the Modeste,) and passed close under our lee: the Pilot schooner still in sight, to the Eastward, lying too.

"When the ship swung, head to wind, the rudder got clear of the stern post and broke adrift. At eight, P. M. the ship making water so as to keep both pumps constantly going, having struck several times very heavy, turned a gang of hands to lighten the ship by heaving rice overboard, the water gaining on the pumps; at ten, P. M. found the ship driving; let go the other bower anchor, and veered out half a cable, which brought the ship up; ship now more easy; at midnight three feet water in the well, fresh breezes, with a confused sea; making signals, by burning false fires during the night.

"July 27.—During the night, blowing hard from East, and E. S. E. with frequent heavy squalls and much rain; at half past three, A. M. the water had gained to four and a half feet in the well, with both pumps constantly going; by this time the people had scarcely strength to remain at the pumps; at six, A M. observed the ship beginning to settle down by the head; at eight, A.M. five and a half feet water in the ship, the hawse holds now in the water; observed a schooner coming down towards us; made the signal of distress; at half past nine, A. M. was spoke by the Cuthbert, Thornhill, pilot schooner, which immediately anchored near us, under our lee, in order to save the people; at noon the water had gained to six and a half feet, and the well full of rice, and the ship now getting water-logged, would not rise to the sea; it now making a fair breach over her forecastle;—finding that it was impossible for any exertions to save the ship, (by the advice of Mr. Pool, the pilot,) hoisted the long boat, ready to put the people into; it blowing a gale of wind, with thick cloudy weather, and frequent heavy squalls, was obliged to drop her under the stern, for the people to lower themselves down into her off the driver boom, as it was impossible for the boat to lay alongside; at two, P. M. a boat was sent to the schooner, requesting the officer in command of her, if possible, to get under weigh and come nearer us, and send her boat, neither of which was practicable, as the gale had greatly increased; at four, P. M. finding the ship completely water-logged, and the waist full of water, was

was compelled to leave her, in order to save our lives; fortunately the remaining small boat, with the long boat, just took every person on board, or those that could not have left the ship, must inevitably have gone with her, when she fell over, bilged, and disappeared, at a quarter before ten, P. M.; at day-light the wreck of the ship's hull, mast, and yards, were floating all around us; the pinnance filled and swamped astern of the schooner; about an hour after we had gone on board of her, was obliged to cut her adrift, and running up channel with a heavy sea, the long boat, with the jolly boat fast astern of her, broke adrift and was lost.

"JOSEPH LATOUR,
"Late commander of the ship Fame."

July 30.—At two, P. M. his Majesty's frigate, Modeste, the honourable G. Elliott, having on board the right honourable lord Minto, arrived at Diamond harbour, where his lordship was received by Mr. Edmonstone, secretary to government, colonel Calcraft, fort-major, and captain A. Campbell fort-adjutant, who had left town several days before, in order to await his lordship's arrival. At Diamond harbour his lordship embarked on the government yacht, and, accompanied by the state boats, having on board the gentlemen above named, and those of his lordship's suite, proceeded to town. The yacht, bearing the union flag at her main-top-gallant-mast head, passed Fort William, under a salute of nineteen guns, on Thursday evening; and at half past seven o'clock, came to an anchor off the Esplanade.

On the following morning, Friday, the 31st, at half past six o'clock, his lordship, accompanied by the honourable captain Elliot, and the gentlemen who had attended him from Diamond harbour, quitted the yacht, and was brought on shore in the state barge, to Champaul Ghaut, where his landing was announced by a salute from the ramparts of the fort.

His lordship was received, on landing at the Ghaut, by George Udny and John Lumsden, Esqrs. members of council; major-general Sir Ewen Baillie, provincial commander in chief, major-gen. Macdonald, Mr. chief secretary Brown, colonel Garstin, and a great number of the principal civil and military gentlemen of the presidency, with the general and garrison staff, &c. &c. The ceremony of introduction, and presenting the gentlemen at the Ghaut, to his lordship, was conducted by Mr. Edmonstone.—The corps of artillery, commanded by colonel Carnegie, his Majesty's 67th regiment, by colonel Gordon, and the Calcutta Native militia, by captain Downie, formed a street, extending from Champaul Ghaut, towards the government-house, through which his lordship, accompanied by his suite, and the gentlemen who attended his landing, walked to the government-house. On entering the western gate, the procession was received by the body guard, which had formed within the pallisades. At the bottom of the northern flight of steps, his lordship was received by the honourable Sir George Hilario Barlow, bart. K. B. and the honourable judges of the supreme court, by whom he was accompanied up stairs, and ushered into the grand hall of the government-house, where his lordship breakfasted with a numerous company, consisting of the principal civil, military, and other gentlemen of the presidency.

His

His lordship wore the full dress of the Windsor uniform, and appeared in excellent health.

At 8 o'clock, lord Minto repaired to the council chamber, where the usual oaths of office being administered, his lordship took his seat as governor-general of India, under a salute of nineteen guns from the ramparts of the Fort. Sir George Hilario Barlow, bart. and K. B. and John Lumsden, Esq. then took the oaths of office, and their respective seats, as members of the supreme board, under the customary salutes from the battery of Fort William.

At sun set, the commission of the governor-general was read and proclaimed, in Fort William, under the usual salute from the ordnance, and three vollies of musquetry from all the troops in garrison.

In the evening, the right honourable the governor general, the gentlemen of his lordship's family, and a select party, dined with Sir George Barlow.

July 31.—By the honourable company's gun brig, the Scourge, which arrived off town from Penang on Thursday, intelligence has been received, that the dispute with the Canton Madarians had been partially settled, by leaving an English seaman with the supercargoes as an hostage, on which the British ships were allowed to depart, and on the 2d of July, a fleet of 12 sail, homeward bound, arrived at Penang.

[The origin of the dispute is stated circumstantially in the chronicle of the preceding month.]

Occurrences for August.

Aug. 3.—Mr. Vialars, a French merchant of this place, went home last year with a very large fortune, by the way of Portugal; he arrived sick at Lisbon, and died shortly after. His brother had gone from France to meet him; he was his lawful heir, and thought he had nothing to do but pack up the goods of the deceased, and return to his family with the precious relics. But the French ambassador deemed it highly incumbent on him to interfere, and having examined the papers both of the dead and the living brother, he found the one strongly suspected of having carried to the grave an intention to spend the fruit of his industry in a foreign country, and the other guilty of having left France without the Imperial leave. On these grounds his excellency seized upon the whole estate, and retained it for the benefit of the emperor, till the pleasure of his majesty should be known.

Aug. 4.—The losses incurred since the commencement of the monsoon, both in the river and the bay, have been unusually great. Daily accounts are received, bringing the most distressing details of the loss and damage sustained by the shipping at Kedgeree, Saugor, and in the roads. Yet, in this calamitous situation, some Asiatic *Inkle* thus calmly speculates:

"This will make the trade in naval stores, and the business in the docks, both brisk and extensive; which will necessarily augment the labour

labour and outlay in the places from which supplies are secured, particularly in the forests which produce the bulk of the timber used in Calcutta. Thus every storm which occasions damage by sea, causes a proportionate degree of industry on land, in clearing forests, and in cultivating the soil, and thus the continuance of the same industry for another half century, will produce the most astonishing effects in clearing and cultivating the immemorial wastes and forests of India."

Calcutta, Aug. 12.—A privateer from Port Jackson was cruising in the straits of Sunda, in the month of June, and had been rather successful against the enemy's trade. It is supposed, if the war with Spain continues, that many armed vessels from New South Wales, will extend the wealth and commerce of our settlements there, by captures of the Spanish trading vessels.

Fort William, Aug. 13.—Yesterday the 12th instant, being the day appointed by the right honourable the governor-general for the public investiture of Sir George Hilario Barlow, Baronet, with the most honourable order of the bath, at the hour of seven in the morning, the honourable the judges of the supreme court, Mr. Lumsden, the provincial commander in chief, major-general Macdonald, the judges of the Sudder Dewanny Adawlet and Nizamut Adawlet, the members of the boards of trade and revenue, and all the principal civil and military officers at the presidency, assembled at the Government-house.

At the same hour a deputation, consisting of the governor-general's private and military secretaries, and the town-major of Fort William, proceeded in the governor-general's carriages, escorted by the body guard, under the command of captain Gall, to the residence of Sir George Barlow, for the purpose of conducting him to the government-house.

On his arrival at the northern gate of the area of the government-house, Sir George Barlow received the salute of the troops under arms, consisting of the flank companies of his majesty's 67th regiment, and the stationary guard of the governor-general, which formed a street, extending from the northern staircase to the government house, the band of the regiment stationed in the portico, accompanying the salute with the music of "God save the King."

On alighting from his carriage, Sir George Barlow was received by a second deputation, consisting of major-general Sir Ewen Baillie, major-general Macdonald, and the commandants of artillery and engineers.

At the head of the stair, leading to the upper floor of the government-house, Sir George Barlow was received by a third deputation, consisting of the chief secretary to government, and the secretaries in the political, judicial, military, and Persian departments.

The right honourable the governor-general having previously taken his seat in a chair of state, under a splendid canopy erected at the upper end of the grand saloon, and the chief civil and military authorities being ranged on each side, agreeably to their respective ranks, Sir George Barlow, attended by the members of the several deputations, and preceded by the secretary in the political department, bearing on a velvet cushion the insignia of the order

of

of the bath, advanced through the centre door of the grand saloon to the front of the canopy.

The governor-general then arose, and communicated to Sir George Barlow the commands which his lordship had received from his Majesty, for investing Sir George Barlow with the most honourable order of the bath, in the following words:

"Sir George Hilario Barlow,—I am honoured with his Majesty's commands to invest you with the insignia of the most honourable order of the bath; and he has been pleased to add a special instruction that the ceremony shall be performed in the most honourable and distinguished manner.

"The order of the bath, of which, without solicitation, and of his Majesty's own princely grace, you have been appointed a knight companion, has ever been ranked by his Majesty among the highest distinctions he can bestow on such of his subjects as have rendered signal service to their country, and amongst the most exalted rewards of public virtue and exertion. These honourable badges therefore, which, in obedience to his command, and in his royal name, I am about to have the satisfaction of presenting to you, are not to be viewed merely as splendid ornaments to the person, but rather as displaying the more noble and more gratifying decoration of your royal master's approbation and esteem, as a constant, public, and visible manifestation of the gracious favour with which the sovereign of the British empire has regarded the uniform zeal, application, wisdom, purity, firmness, energy, and success, which have characterized, through a series of years, every hour of your long, faithful, and distinguished services.

"Such are the sentiments, also, which have been consigned by our honourable masters the East India company, in every volume of their records, and I will venture to assure you, that they are re-echoed from the hearts and bosoms of your country.

"For myself, it has been my fortune more than once to represent my gracious master on solemn and important occasions, but never, I assure you, Sir, with more entire and more cordial personal gratification than on this day. It is, indeed, natural that I should feel peculiar satisfaction at finding myself the humble instrument by which this just and honourable homage is paid to eminent qualities and endowments from which I am about to experience so much benefit and comfort, and from which I am sure to derive such essential aid in the discharge of the arduous and momentous duties in which I have the honour and the happiness to be associated with you."

The chief secretary to government having then read the documents connected with the appointment of Sir George Barlow to be one of the knights companions of the most honourable order of the bath, the governor-general proceeded to invest Sir George Barlow with the insignia of that order in the usual form, by placing the red ribbon over the right shoulder, surmounting it with the collar of the order, and fixing the star on the left breast.

Sir George Barlow then delivered a short speech, expressive of the high sense he entertained of the honour which had been graciously conferred on him by his Majesty, and

and of his acknowledgments for the distinguished manner in which the investiture had been conducted, and for the flattering sentiments which his lordship had been pleased to express on that occasion.

At the conclusion of Sir George Barlow's speech, a salute of 17 guns was fired from the ramparts of Fort William, in honour of the occasion.

The governor-general, attended by Sir George Barlow, and the company assembled, then proceeded to breakfast, which was prepared in the marble hall.

After breakfast, Sir George Barlow took his leave, and was attended to his carriage by the general officers and commandants of artillery and engineers.

Sir George Barlow returned to his house, accompanied by the members of the first deputation, and the governor-general's body guard, and was saluted as he passed by the troops under arms.

The company invited to be present at the investiture re-assembled in the evening at a dinner, given by the governor-general to Sir George Barlow, in honour of this distinguished ceremonial.

Aug. 16. By the company's ships, lately arrived in Bengal, there have been imported ten uncommonly fine English horses, bred at the honourable company's stud, at Padnalls, in England; and sent out to Bengal, on account of the company, and destined for the service of the Poosa stud. All these colts are three years old:—seven of them by the sire, Ascham, and three by the Arabian. They are beautiful animals; and present fine specimens of an improved English breed. Considering the length of the voyage which they have just completed, they are in very fine order.

Occurrences for September.

Supreme Court, Sept. 1.—The following appointments have taken place. W. Blackstone, Esq. register on the equity, ecclesiastical, and admiralty sides, in the room of W. Jackson, Esq. deceased. C. Walley, Esq. admitted an attorney and proctor. James Taylor, Esq. appointed solicitor for the honourable company.

Sept. 2.—On Wednesday, treasure, to the amount of thirty lacs of rupees, in silver and gold, was landed at the Bankshall. It was remitted from Madras, mostly on account of government, as returns for the rice sent to the coast at the guarantee price.

This supply proved very seasonable, as the money-market had experienced a considerable rise, from the scarceness of specie. Private bills, previously, bore a very high discount.

Sept. 11.—This being the anniversary of the battle of Delhi, the officers of the 2d regiment, and 1st battalion of the 14th, who had the honour of sharing in the glory of that ever-memorable day, celebrated the occasion by a splendid entertainment in the new Theatre at Barrackpore, at which were present, the right honourable lord Minto, governor-general, general St. Leger and staff, the

whole

whole of the officers and ladies at the station, and a numerous party of visitors from the presidency.

G. O. — BERHAMPOOR, Sept. 8. — On the departure of the 1st battalion of his Majesty's 53d regiment of foot from this station, major-general Palmer complies with the dictates both of duty and his personal feelings, to record his high approbation of the exemplary conduct of this excellent corps, during the time which it has been stationed at these cantonments. The major-general requests of lieutenant-colonel Mawby to accept his warmest acknowledgments for the unremitted attention which he has given, not only to the discipline of the corps, but to the decent and orderly behaviour of the men, when off duty in barracks. To the officers of the battalion, the major-general returns his sincere and cordial thanks, for the cheerfulness and alacrity with which they have executed the various duties of the station, and for their deportment in private life, which has justly rendered them estimable to every branch of society in this neighbourhood.

It is with the greatest satisfacsion that the major-general adds his testimony to the commendable behaviour of the non-commissioned officers and men of the battalion, particularly in the humanity and kindness which they have observed in all their intercourse with the natives. It is with pride and pleasure that the major-general declares, he has not once been compelled to any painful execution of authority against any individual of this respectable corps, since he has had the honour to be placed in command over it. It only remains for the major-general to express his sincere regret, at the removal of the battalion, and to offer his fervent wishes for its renown and prosperity. J. ARROW, A. D. C.

Sept. 13.—The Danish ship, Fadris Minde, from Bengal to Copenhagen, was boarded off Algoa Bay, by the French frigate, Piedmontese, which took out all the English passengers; but on a remonstrance being made by the Danish captain, they were afterwards returned on board again—the military officers being previously put on their parole.

Sept. 18.—On Saturday last, Messrs. Lautie and Goulds sold 100 boxes of pearl oysters, from the fishery of Tutacorin; each of the boxes contained 1,200 oysters; the whole, therefore, 120,000. The average of the sale was about 110 rupees per box. The speculation was a novel one.

Occurrences for OCTOBER.

Oct. 6.—Sunday night, accounts were received from the crews of the Mangles and Trafalgar, of the capture of those vessels off Vizagapatam, by Surcouff, who gave them boats to bring them to the river. These vessels were insured for 150,000 rupees each. The captains of the vessels were detained on board the privateer.

For some days past a comet has made its appearance. It disappears from the horizon early in the evening. The natives assert, that it portends a scarcity of grain, from its baleful effects on the atmosphere.

Oct. 7.—

Oct. 7.—From twenty to thirty sail of Arab ships are daily expected here. They were to sail from Muscat in a fleet, to enable them to cope effectually with French cruisers, by which several heavy depredations were committed in the last season.

Strong remonstrances have been preferred by the Arabs, to the government of the Mauritius, against these lawless depredators, but without any further avail, than obtaining a promise from the French, (a slight obligation) that such captures shall not take place in future. Other accounts say, that the French government have presented the Imaum of Muscat with a ship, and a pecuniary indemnification, but of a very inconsiderable value.

The trade of Calcutta with Arabia, both by British ships and by those of Arabian merchants, has considerably increased within the last three years. The commerce is very valuable to Bengal, as the Arabs mostly import dollars and copper, and take away cloths and indigo.

Oct. 17.—Landed at Calcutta, lieutenant-general Hewitt, commander in chief of his majesty's and the companies forces in India, and a member of the supreme council of Fort William, in Bengal. On the same day he took the usual oaths,and his seat, as one of the counsellors of the presidency, under a salute of nineteen guns.

Oct. 28. — The value of the country ships, trading to and from Calcutta, captured within the last six weeks, in the Bay of Bengal, is stated at THIRTY LACS OF RUPEES!

Occurrences for NOVEMBER.

FORT WILLIAM, Nov. 2. — The Elizabeth, captain Askwith, brings an account from Macoa, which states, that an American schooner had arrived at that port, from the coast of Chili. The schooner having on board some English seamen, they were taken out and carried on board one of his Majesty's sloops of war, that chanced at that time to be at Macoa. These seamen gave information, that the schooner had, under English colours, while on the coast of Chili, plundered several Spanish vessels of bullion and other property, to a great amount. This information being strengthened by some particular circumstances, it was determined to seize the American, and to detain the ship for legal investigation. The commander of the schooner, having obtained information of this design, prepared to resist the attempt. The boats of the sloop of war were manned and armed, and after a spirited resistance on the part of the American, in which her commander and several of her men were killed, the boarders took possession of the schooner. Upwards of 150,000 dollars, and other property to a large amount were found on board. Sufficient evidence appearing to warrant her seizure and detection, the schooner was manned by a party from the sloop of war, and sent to Bombay for adjudication.

Nov. 5.—On Sunday morning, between 9 and 10 o'clock, M. De L'Etang,

L'Etang, and his brother-in-law, Mr. Blin, returning in a phæton and pair, from a visit to a gentleman residing at Bridgee Tollah, met, as they passed the gate, and came on the main road, leading from Chowringhe to Russalpulgah, a drove of bullocks with empty sacks and dubbers, returning from Calcutta, and which, for some extent, occupied nearly the whole breadth of the road. A Syce was sent in advance to put the bullocks a little aside, so as to allow the phæton, following at a slow walking pace, to pass on the right or eastern side of the road, which, in that part, in its extreme breadth, measures twenty-two feet only, being bounded on the east by a tank that has encroached on its limits, and on the west by a dry deep ditch. While in this narrow passage, two of the dubber bullocks began to butt at each other; and the one horning his antagonist, the latter retreating hastily, crouped the near-side phæton horse, which occasioned him to edge more towards the margin of the tank, where the bank being hollow, from the quantity of earth washed away by water, the ground gave way for some yards, when the off horse, off fore and hind wheels, suddenly going down, the carriage lost its equilibrium, overset, and was precipitated in an instant into the tank, with such velocity that it rolled over, and for some seconds was wholly submerged.

The two Syces were carried with the phæton into the tank. They, and Mr. Blin first appeared, floating beyond the off horse. Having sustained little injury, they were got on shore without difficulty. Some minutes elapsed before any hope appeared of rescuing Mr. De L'Etang from his dangerous situation.—At length, after the lapse of about four minutes, he was seen near the surface of the water, and through the assistance of the people, whom the accident had collected on the spot, he was brought out exhausted and insensible. How he got clear of the phæton he had no recollection: from the hood being up, his exertions to disengage himself had probably been much impeded.

Mr. De L'Etang received the most prompt and effectual assistance, and being carried to Mr. Uvedale's, he was restored to life, and completely recovered in the course of a few hours.

Every exertion, which the state of the case admitted, was used to save the horses, but unfortunately without effect

It is noticeable that fifteen or sixteen years ago, an accident nearly similar to the above, happened at the same spot, to Mr. Myers, then accountant-general, who was thrown, with his carriage, into the tank; and in consequence, a railing was placed on the road along the border of the tank, with the laudable intention of preventing further accidents.—Some vestiges of that railing are still perceptible.—A few weeks ago, at the same place, Mrs. Cornish was overturned in her carriage, into the ditch on the opposite side of the road, but fortunately received no material injury.

Calcutta, Nov. 13.—Accounts have been received from the coast of the farther successes of Surcouff, in the capture of more of our defenceless merchant ships. Letters from Vizagapatam, dated the 31st ult. give advice of the capture of the ships Success and Fortune, both of this port, on the 28th ult. the former bound from Pegue to

Bemo,

Bemo, with a cargo of timber, and the Fortune returning in ballast from Madras.

Surcouff having plundered these ships, and being unable to spare hands to navigate them, in consequence of the number of prizes that he had already made and dispatched to the French Islands, determined to destroy both these latter prizes. He set fire to the Success, and she burned to the water's edge. The Fortune was scuttled and sent adrift; but having floated in towards Vizagapatam, she has been hauled ashore and secured, and will probably be refitted, with little loss. The commanders, officers, and crews of the Fortune and Success, to the number of 70 people, were embarked in the long-boat of the Fortune. They made the best of their way for Vizagapatam, where they landed on the 31st ult. It is now ascertained, from the date of these captures, that the daring adventurer, who has thus insulted our coasts, and carried off a number of our most valuable ships, has continued very nearly on the same station, but a few leagues from the coast, and not more than 300 miles from Madras, upwards of 30 days.

Nov. 20.—A letter from captain Holford, commanding at Ganjam, dated the 5th current, communicates intelligence of the recapture of the brig Experiment, captain Cripps.

The Experiment sailed from Rangoon for Calcutta, in August last. In her passage across the Bay, on the 22d August, she fell in with, and was captured by, the Semeillante French frigate. Captain Cripps was removed on board the Semeillante, and a prize-master, with four or five Frenchmen, were put on board the Experiment, with orders to make the best of their way to the Mauritius. On the 20th October, the Lascars, headed by the Serang, took a favourable opportunity to attempt to retake the vessel, in which they happily succeeded, and made the Frenchmen conduct her to Ganjam, where they safely arrived on the 4th current. Several of the captains and officers of the lately-captured ships, who were landed on the coast, have returned by land to Calcutta.

Some account of the loss of the Portuguese ship, Bowanrong, capt. John Napremassena, lately lost on her passage from Calcutta towards China, translated and abridged from the narrative of a gentleman, who was passenger on board, dated Chittagong, 10th November, 1807.

—"We left our Bengal pilot the end of April last, and stretched across the bay, till the 24th of May, when, in the latitude of 16. 57. North; Longitude 91. 7. East, we encountered a severe gale, accompanied with a heavy swell, in which the ship laboured much, and became leaky. The gale increasing, it became necessary, for the preservation of the ship, to cut away the main and mizen masts. During the violence of the storm, it was with difficulty that the incessant working of the pumps could keep the ship free, and from her masts being gone, she was exposed to the swell, which broke over the hull with such force and frequency, that we were every moment in dread of foundering.

In this alarming situation our Commander not only displayed the utmost professional skill, but by his presence of mind, by his collected, manly, and judicious conduct, afforded an example that

served

served to raise our hopes and to animate our exertions.

"On the 26th of May, at 8, A. M. the weather having considerably moderated, we found almost the whole of our water butts stove in, so that, independent of other material wants, it became necessary to put into the nearest port. for a supply of water. The land upon our lee was an unfrequented part of the coast of Ava, which we knew to be inhabited by a barbarous people, from whom we could not hope for the assistance that our wants required. Yet as the south-west monsoon, at that season, usually blows with violence, we had no other choice than to endeavour to make the land in any point that the disabled state of our vessel would admit. We accordingly stood before the wind, and made the coast, after a short run, in the vicinity of the Broken Islands; and sent a boat on shore, some leagues to the northward of the river Bartoon, to obtain an immediate supply of fresh water. In this we were disappointed. The coast, where the boat landed, was a barren desert, and, although wells were sunk in various places, along the beach, in the hope of reaching water, all our attempts proved fruitless. We were, therefore, obliged to make what sail we could before the wind to the northward, in quest of water. It was proposed to put into Cheduba, but unfortunately we fell to leeward of the island, and found it necessary to anchor off Saduha, where we obtained water and some provisions; but as we could not there repair the losses of the ship, so as to enable us with safety to put to sea, we were desirous, if possible, to reach either Cheduba or Chittagong.

"On the 16th of June we weighed and stood out from *Saduha*. In the mean time the leak was increasing, insomuch that it required the constant working of the pumps, both night and day, to keep the ship clear. While in this situation, on the 17th of June, the day after leaving Saduha, we experienced a second gale of wind, as violent as the first. In the now disabled condition of our ship, and the exhausted state of the crew, from constant labour at the pumps, we had no other alternative than to endeavour to run the vessel on shore, in the hope of saving the lives of the people on board. While in pursuance of this design, we were so fortunate as to run into a bay, where, being somewhat sheltered from the storm, we came to anchor at 6 P. M. the pumps incessantly working, and the leak rather gaining upon us, in spite of all our exertions. At 11 P. M. the gale still increasing, the ship drove from her anchors, and soon afterwards struck upon a narrow, insulated rock, upon which it was evident she would quickly go to pieces.

"The unshaken mind of our commander, was now eminently diplayed. Finding that the ship must certainly go to pieces, and that the people could no longer continue on board with safety, he ordered the long-boat to be got out, himself superintending the operation, which was not effected without difficulty—As soon as the boat was in readiness the supercargo, myself, and as many of the people as she could carry, were embarked; when the Captain, unmindful of his own safety, ordered us to quit the wreck, and to make the best of our way to the shore. As the boat could not contain all the

the people, some sought their safety on spars, planks, hencoops, &c. while the captain, and five or six of his people, continued with the wreck, endeavouring to prepare a raft.—We who were in the long-boat, passed a dreary night, ignorant of the fate of our companions, and despairing ourselves of reaching the shore alive, the gale still continuing in all its fury. At length the sun arose, when we had the mortification to find that our brave and faithful friend, our late commander, had voluntarily sacrificed his life to a sense of duty: he, who so well deserved a better fate, and the men who were with him, perished with the wreck, which went to pieces in the night.

"The long boat did not get on shore till noon, when we landed; and were soon afterwards seized and conducted by the natives, as prisoners, to the presence of the Rajah, in the capital of Saduha, where we were detained for four months, during which time we experienced every privation and indignity, from a barbarian government, alike insensible to the claims of justice or humanity.

"At length, after incessant intreaties, we, with the exception of the supercargo, his brother-in-law, the purser, and four others, were, on the 17th of last month, set at large. The persons detained were to be marched up to the presence of his Majesty at Ava. They were to be accompanied by some of the chests of opium, and bales of cotton, which floated on shore from the wreck. Of the cargo that came on shore, the chief part was seized and sold by the inhabitants of Saduha.

"We who were released, to the number of forty-six, were provided with a small fishing boat, in which we hastened to leave the inhospitable shore of Saduha. In our eagerness to embark, we neglected a proper supply of water and provisions, and overlooked the insufficient accommodations of our boat. We were, however, but a short time at sea, before we found ourselves so cramped for room, and so much exposed to the inclemency of the weather, that we preferred going on shore, wholly unprovided for a journey as we were, determined to traverse the woods, and to seek our way to Chittagong on foot. Having landed, we proceeded along the coast, and after walking day and night, without refreshment or food, we arrived, at the end of the fourth day, more dead than alive, at Chittagong. Here our wants were doomed to be completely removed. Here our sufferings were soothed by the tenderest offices of humanity.

"James Bruce Laing, Esq. judge and magistrate at Chittagong, animated by sentiments honourable to humanity, and congenial to the British character, succoured our distresses with zeal, promptitude, and liberality, calculated to excite both our gratitude and admiration. I have no expressions equivalent to my sense of the beneficence and generosity, experienced from this gentleman, in the kindness of whose attentions all my companions and myself lost every trace of our late distresses, except their remembrance. I trust that my countrymen, whether in Europe or in India, will justly appreciate such benevolence; and that they will be proud to acknowledge its claim to our national and individual gratitude, by employing every opportunity that may present itself, to relieve

relieve a distressed or shipwrecked Briton.

"Mr. Laing was desirous to detain the people some time longer at this place, under the apprehension that they were not fully recruited. A longer stay was, however, unnecessary. The Lascars being amply provided with money and other requisites for their journey, set out some days ago for Luckipore, on their way to Calcutta. The Europeans, nine in number, and two Chinese, being equipped from the same liberal source, with a boat, money, and whatever was required for their voyage, proceeded hence a few days ago, for Calcutta.

"Subjoined is an account of the fate of the persons late of the Bowanrong:

"Number of souls embarked from Calcutta, 60.

Drowned. — Captain Napremassena, 3 Lascars, 2 Chinese, 1 Christian. - 7
Sent to Ava - - - - - - - - 7
Arrived at Chittagong - - - 46

"Chittagong, Nov. 10, 1807."

Nov. 30. — The annual fair at Hadjepore, or Hur Hur Chitter, broke up on the 16th November. The shew of horses was very considerable; and the great improvement which within these few years past has taken place in the breed of horses, in these provinces, was particularly conspicuous. Many of the colts and fillies, produced for sale, exhibited an appearance of blood, and a promise of bone, size, and fashion, much beyond what has hitherto been usually seen. The prices were in general higher than last year; though the concourse of Mahratta and other foreign purchasers, was not so great, as in the former season. There were however some of these, and among them a Bembelah merchant, who did not arrive till the 12th, and who is said to have bought above three hundred colts and fillies, in the course of the next day.

The shew of northern horses was much less than that of last year, owing probably to the very little demand for them at that time; and which appears to have become still less; as, at the late fair, scarce any of them were sold. Indeed, the call for horses of the breed of the company's provinces, appears to have increased to such an extent, that, of from five to six thousand, which were at the fair, few could be procured of more than two years old.—There were many competitors for the colts; and at the company's stud two of them, of two years and a half old, thorough bred, brought upwards of 8000 rupees. Thirteen of the same age, inferior breed, sold at an average of 1060 rupees each.

Calcutta, Nov. 21. — The following is an extract of a letter just received from Mr. Manesty:—

"It is really wonderful, my dear Sir, how safely I have conducted all the commercial concerns under my management; and you will rejoice to learn, that the result in consequence of the revolution, which, at Bagdat, on the 18th ultimo, deprived the Bacha of life, will be, according to all reasonable and just calculation, administrative of tranquillity and consequent encouragement of trade in this country.

"The Bacha was murdered by a Georgian favourite, who had connected himself with a person of the name of Neseef Aga, the head of a party long inimical to the Bacha's government, and on the day succeeding

ceeding his death, his assassin, and Neseef Aga, were slain by the Bacha's nephew, who immediately assumed the government, and must be confirmed in his uncle's high and distinguished office from Constantinople.

"Thus the Bacha and Neseef Aga, the heads of long contending parties at Bagdat, have both fallen: strife, animosity, and struggles for power have ceased with their existence; and the Bacha's nephew, now Soloman Bacha, is a young man of superior merit, universally liberal. I am on the best possible terms with him, and his governor here, Selim Aga, and, since the Bacha's death, have rendered him essential local services."

Occurrences for December.

Calcutta, Dec. 1.—A notification was published, a few days ago, by a crier, of the intention of the "Committee for the improvement of Calcutta," to prepare for excavating a canal, commencing opposite to the head of Durrumtollah-street, on the eastern side of the circular road, and to be continued to the salt water lake, for the purpose of draining the eastern part of the town, the level of which is somewhat lower than the western. The effect of this useful undertaking will be the increase of the value of landed property, in Entallee and Sealdah, and the consequent building of villas, between Calcutta and the Salt-water lake. This will necessarily induce horticultural improvements, so that, in a few years, the aspect of the country, and its salubrity and enjoyments, will be essentially improved.

Dec. 8.—A spirit of disaffection and hostility having been discovered, for some months back, by *Domdeah Khan*, it was deemed necessary, by the supreme government, to send a powerful force of European and Native troops against that refractory chief at the beginning of the month of October, under the command of general Dickens. The principal fort of Domdeah is Cumoona, or Kassapoor, part of a Zemindary possessed by him in the province of Ally-Ghur, a portion, formerly, of the dominions of the nabob of Oude, which was ceded in the treaty concluded between that prince and the Marquis Wellesley.

The British troops arrived before the fortress about the 23d of October; and, as the place was of great strength, began their approaches in a regular way. By the 18th of the succeeding month, a practicable breach was effected, through which the British troops entered with an intent to storm the garrison; but the enemy was so strongly posted within, and met the attack with such firmness and resolution, as to oblige the besieging party to retire with considerable loss. The impression made by our troops was so terrific, that the garrison could not be induced to await the repetition of its horrors in a second meditated assault. The fortress was in consequence evacuated, in the darkness of the same night.

The fort, evacuated by the enemy, was taken possession of by our troops on the 19th of November,

ber, with the loss, however, of many brave officers and men.—The following is a list of the killed and wounded :—

Officers Killed.— Lieutenant-colonel William Duff, 1st battalion, 9th regiment. Brigade-major O. Frazer, aid-de-camp to general Dickens. Captain Radcliffe, —— Kirk, his Majesty's 17th regiment. Captain Robertson, grenadiers, 21st regiment Native infantry. Captain S. Brown, and lieutenant Sneyd, 1st battalion 9th Native infantry. Lieutenant Macleod, 2d battalion 27th regiment of Native infantry. Lieutenant Defoe, 1st battalion 23d regiment, Native infantry, doing duty with the pioneers. Lieutenant Ramsy, and ensign Jones, engineers.

Officers Wounded. — Acting brigade-major W. Fogo, 1st battallion 9th regiment of Native infantry, dangerously. Lieutenants Wilson, Harvey, and Campbell, severely; and lieutenant Harrison, dangerously. — His Majesty's 17th Grenadier battalion,—Lieutenant D. E. Livingstone: and lieutenant Macartney, 21st Native infantry, both slightly. 1st battalion 9th Native infantry, captain Fraser, slightly. Capt. Mathews, ditto. Lieutenant Holland, dangerous. 1st battalion 27th Native infantry.—Captain Perkins, severely. Lieutenant Dunsterville, ditto. Lieutenant Corbett, slightly. 2d battalion, 27th Native infantry. Lieutenant Dennis, severely. Lieutenant Denty, slightly. Ensign Vetch, slightly. Lieutenant Wilkie, 1st battalion 9th Native infantry, doing duty with pioneers. Lieutenant Dundinstone, his Majesty's 17th foot, severely wounded. Lieutenant W. M'Cuhac, 1st battalion 9th Native infantry, slightly, ditto. Lieutenant T. Brooke, 1st battalion of 23d Native infantry, do. Ensign Fordyce, engineer, ditto. Lieutenant Swinton, pioneer, ditto. Lieutenant Anderson, ditto, ditto.

Lord Lake was formerly sent with a force to reduce this refractory Zemindar into submission;—but, from the circumstances of the day, he was induced to enter into a compromise with him, and to allow him to retain his authority in the Zemindary, on the condition, that he would surrender his heavy artillery, disband his troops, and rase the works of the fortress in question.. His non-compliance subsequently with these terms, is supposed to have been the cause of the operations immediately noticed.

Dec. 10.—The supreme government having heard of the policy of Buonaparte, in sending embassies and officers to Persia, with a view to the destruction of the British influence in the East, has obtained permission of the Seiks, to erect magazines, and to possess, by its troops, some of the strong passes to the company's provinces.

On Monday last, at ten o'clock, H. T. Colebrooke, Esq. appointed by the honourable the court of directors, a member of the supreme council of Fort William, took the oaths of office, and his seat at the board, under the usual salute from the ramparts.

On Friday last, the fourth curt. the half yearly sessions of Oyer and Terminer and general gaol delivery, were opened at the new court-house, before the honourable the judges of the supreme court, under the usual forms.

The

The grand jury having dispatched the whole of their business, they were discharged by the court on Monday.

Anthony, a Portuguese waiter, or marker at one of the billiard tables, at the tavern of the late Mr. Doughty, was indicted for an assault, on the night of the 25th of September last, on Mrs. Doughty, with an intention to commit a rape,—the indictment contained a second count, for the assault only. The grand jury having found the bill, the trial came on last Friday forenoon. The narrative of Mrs. Doughty clearly established the fact, both of the assault and criminal intention. Her evidence was sustained by collateral testimony, and the jury, after a short deliberation, returned a verdict of guilty. The prisoner was remanded, and will be brought up at the close of the sessions to receive judgment.

On Monday last John Fraser, and Ramdoolol Doss were brought to the bar, and tried on an indictment for having forged, and uttered a note, purporting to be a note of the bank of Calcutta, for two hundred and fifty sicca rupees. The jury gave a verdict of guilty against Fraser.—Ramdoolol Doss was acquitted.

From the evidence in the course of this trial, it appeared that Fraser, who had been for some time under confinement for debt, in the gaol of Calcutta, had been employed by one Shouldham, also a prisoner in the Calcutta gaol, for the perpetration of the forgery. The method used in the fabrication of the notes was fully explained. It was conducted pretty nearly in the manner following.

Shouldham procured a bank note of 250 rupees, which he laid before Fraser, desiring him to make exact copies of that original. For this purpose the silver, or bank note paper, on which the notes are usually printed, was procured from the bazar, and being cut into proper shape, was slightly rubbed with oil to render it more transparent. A slip of this prepared paper was then laid over the face of the bank note, and being closely extended, the characters, on the note beneath, were easily traced with a common pencil upon the blank paper. The sketch being removed, the whole was carefully filled up with copper plate ink, laid on with a fine brush of camel's hair. A coat of slaked lime was then laid upon the back of the forged note, and thus being exposed to the sun, the superfluous oil was taken up by the lime, which, on being brushed off, left the note nearly complete. The signatures of the bank director and entering clerk were then added, with pen and ink, and the operation of forgery was complete.

The table, the paper, the tools, and all the materials connected with the work, were the property of Shouldham, in whose apartment they were carefully deposited, and locked up every night. The prisoner, Ramdoolol Doss, to whom Shouldham was indebted, observing, as he alleges in his defence, four bank notes of 250 rupees each, on Shouldham's table, seized them on the instant, intending to apply them to the payment of his own claim. Having no suspicion of the forgery, Ramdoolol Doss passed one of these notes to a fellow prisoner, a friend who wanted the loan of 100 rupees to effect his release. The

The note was sent into the bazar to be exchanged, it was there received without suspicion; but the shroff, to whom it was tendered for exchange, demanded a batta of four annas per cent. on the amount, which the sircar, who was the bearer of the note, was unwilling to allow. He, therefore, carried it to Neaty Sein, an eminent native banker, who desired him to present it at the Calcutta bank, where it would be immediately cashed. It was accordingly carried to the bank, where the forgery was detected, chiefly from the accidental omission of the word, "Entered," and from the signature of Mr. Tucker being affixed to the note, instead of that of Mr. Cox, as the former had in no instance signed notes of 250 rupees. The forgers had probably no other reason for substituting one signature for the other, than that of greater facility of imitation. The forgery of the note being thus discovered, the detection of the perpetrators, and of the whole transaction quickly followed.

Fraser will be brought up for judgment at the close of the sessions.

Dec. 11.—By the late arrivals from the Isle of France, we hear that the French government there have strictly enjoined their cruisers to have, in future, the greatest respect for Arab ships, and by no means to arrest, or molest them, unless it should appear, on clear evidence, that their cargo is English property.

Two dreadful hurricanes had visited the island, and effected great ravages. The last happened in February, and destroyed all the plantations, which made provisions very scarce. Of the small craft trading to the islands of Bourbon and Madagascar, eleven perished at sea, and no lives were saved.

The casualties in the French establishment at Madagascar had been extremely numerous, owing to many more people having remained there during the bad season than is customary with them. The whole almost of the rash adventurers were swept away by the disease incident to the climate. Mr. Marriot, the chief of the establishment, has been one of the victims.

To recruit the regular troops, (which, in the present situation of affairs, cannot be effected from Europe,) government had it in contemplation to extend the laws of the conscription, such as they exist in France, to the Creoles, or natives, of the Isles of France and of Bourbon; a mark of confidence which they certainly deserve in return for the eagerness they have respectively shewn to have the name of the Re-union, formerly Bourbon, changed into that of Buonaparté, and the name of Port Nord Ouest, formerly Port Louis, into that of Port Napoleon.

Dec. 12.—Mr. J. L. Turner, who came passenger on board the Aboukir, was, some months ago, taken prisoner by the Ladrones, as he was going from the Tay (of which he was chief officer) to Macoa, for a pilot. He continued in captivity with those people nearly six months, and at last procured his liberty by paying ransom to the amount of 8000 dollars.

Dec. 15.—The price of rice, and all kinds of grain, has risen considerably. The former is now near two rupees per maund, and more than four rupees per bag. The exportation in the course of the

the last twelve months has exceeded that of any former period. As the harvest of rice is now nearly over, the influx of the new crop will bring the price to the usual standard, otherwise some inconvenience must arise in making an increase of wages to labourers and servants. Two hundred and fifty pair of scales are at constant work, in weighing off grain to the exporters.

CALCUTTA, Dec. 16.—At an adjourned sessions, held on Monday last, Mr. John Grant, a cadet on the Bengal establishment, was tried on the indictment for wilfully and maliciously setting on fire and burning a hut, at Baraset, the property of Keenoo, Bearer, on the 24th day of October last.

Mr. Grant was arraigned at the bar, and pleaded " not guilty."

The indictment being read, Mr. SIMPSON, company's junior counsel, opened the pleadings.

Mr. SMITH, advocate-general, began with offering a few observations on the nature of the crime charged in the indictment; and none, he observed was attended with more danger to the lives and property of individuals, and there was none which the law visited more heavily in its punishment.

The advocate-general distinctly stated the case to the jury. The circumstances which he laid before them would, he said, be proved by four witnesses, who were to give their evidence in court. Three of these witnesses agreed in their account of the particulars of the transaction.—Azim, the fourth witness, who had been the servant of Mr. Grant, differed in his story, from the others, only in swearing that he did not fetch the fire for his master, but that Mr. Grant brought the fire himself. The three other witnesseses swore positively, that Azim brought the fire in a wisp of straw, and gave it into the hand of his master. Whether this variation in the evidence of Azim, from that sworn to by the other witnesses, arose from an intention to skreen himself from the imputation of guilt, as a principal or accessory, was for the jury to determine. In conclusion, he observed, that if the Jury found the charge laid in the indictment fully proved, it would be their duty to return a verdict of guilty:—however aweful or tremendous the situation, in which the prisoner might be placed by such a verdict, was matter that could not come under their consideration.

Clements Raspberry, serjeant-major at Baraset, was called to the jurisdiction. He proved that the prisoner, on the 24th of October last, was a cadet in the service of the East India company, and in the receipt of pay from the company.

Geetoo Bunva swore, that he kept a moodie's shop at Baraset, that his shop is situated about 40 yards from Mr. Grant's bungelow. That on the 24th of October last, about seven in the evening, being then in his shop, with four bearers, Mr. Grant came in front of the door, and called to the bearers to come out; that two of them went out, when Mr. Grant struck them, on which they and the two other bearers ran off. He, the witness, then went out to Mr. Grant, and, on approaching him, he struck the witness, on which he retreated into his shop, followed by Mr. Grant, who at that time had his right arm hurt or broken, and

wore

wore it in a sling:—that Mr. Grant, while in the witness's hut, took up, with his left hand, the charag, or lamp, then burning in the shop, and applied the flame, to the chopper, or straw covering of the hut; that the chopper took fire, and that the witness succeeded in extinguishing it with his hands; that Mr. Grant then and there thrice repeated the firing of his hut, and that each time the witness put it out in the same manner as the first. The lamp being extinguished, Mr. Grant left his hut, and desired his servant Azim, who was then present, at a little distance from the hut, to bring him fire; that Azim did accordingly bring some fire in a wisp of straw, which Mr. Grant took in his left hand, and blowing it into a flame, applied the lighted straw to the hut of Keenoo, bearer; that the hut took fire in consequence, and burnt, till about one half of it was consumed. This hut had been built by Keenoo, about four months before this transaction, and cost two rupees; the ground on which it was built, belonged to the East India company. The hut was distant about four or five yards from the witness's shop. After the alarm of fire had been given, the captains or officers, and a guard, were seen coming up, on which Mr. Grant ran off.

Rutton, bearer, was next called.—His testimony differed in some particulars from that of the preceding witness, though he agreed in the fact of having seen Mr. Grant apply the lamp to the chopper of Geetoo's shop, and afterwards to the hut of Keenoo, as charged in the indictment.

Keenoo and Azim corroborated the principal statements of the two former witnesses. Azim, however, swore positively, in opposition to the other witneses, that he had not brought the fire, but that Mr. Grant had fetched it from Keenoo's hut.

Mr. Blenchynden, surveyor, proved the value of Keenoo's hut to be about one rupee.

Mr. Grant made no defence, and the only witness he called was Mr. Cookson, a cadet on the establishment. This gentleman swore that on the evening of the 24th of October last, he saw a person whom he did not know, but whom he supposed to be a cadet, blow up the fire in the chopper of Keenoo's hut; and he was positive in the fact, that the person he saw that evening, setting the hut on fire, was not Mr. Grant, the prisoner at the bar. It appeared, however, that the testimony of this witness related to some other transaction on the same evening, subsequent to that which formed the subject of the present indictment.

Sir John Royds, previously to summing up the evidence, explained to the jury the circumstances necessary in the eye of the law, to constitute the crime of arson, which is a capital felony, without benefit of clergy, and defined it to be wilfully and maliciously setting on fire and burning any dwelling house, office, or outhouse. It was a circumstance essentially necessary to constitute this crime, that the burning should have been wilfully and maliciously done, insomuch that if a person, though engaged in the commission of an unlawful act, such as that of smuggling for instance, should, while so engaged, accidentally, or through negligence, set a house or premises on fire, it would only amount

amount to a trespass. With respect to the value of the property, it was not essential. The straw or matted hovel was as much the castle of its tenant, as the walled edifice of the more opulent. Sir John having offered some further remarks, proceeded to sum up the evidence. Having gone through the whole, the Jury retired out of Court. After deliberating for ten or fifteen minutes, they returned a verdict of "guilty."

The prisoner was then remanded, and ordered to be brought up on the 8th of January next, till which day the sessions adjourned. On that day the grounds of a motion, for arrest of judgment, will be argued in court.

On a subsequent day, Mr. Grant was brought up to court, when the motion of Mr. Ferguson in arrest of judgment was argued before a full bench.

The indictment, on which a verdict of guilty was returned, declared the hut, that had been set on fire and burnt by the prisoner, to be the property of Keenoo, a fact which, Mr. Ferguson contended, had not been sufficiently made out, and which, if so, was, in point of law, fatal to the indictment,— on this ground the motion in arrest of judgment was founded, which was now to be decided.

Mr. Smith, the advocate-general, replied to Mr. Ferguson. He said that the motion appeared to originate in mistake; and that the argument turned entirely upon a fallacy. Possession was a relative term, and although Kenoo possessed no right or title in the soil on which his hut was raised, yet the mere occupancy and residence gave him sufficient possessory right of action against wrong doers, either by civil action or by indictment.

The Judges delivered their opinions individually, unanimously dismissing the motion in arrest of judgment.

Sir Henry Russel, chief justice, concurred entirely in the sentiment with which the counsel for the prisoner closed his argument; "that if there was any room for doubt, the court would pause and well weigh the grounds that might appear in favour of the motion;" but he could not see that there was the slightest ground for doubt; the case was as clear as possible, and any hesitation or doubt would contravene the ends of justice. If the protection of the law were to be withdrawn, on the grounds here attempted to be set up, the greater part of Calcutta might be maliciously destroyed by fire, and the offenders escape from the hands of justice. Of the numerous population of this capital, the far greater part had no other dwelling than huts of straw or mats; the only security or fastening of these huts, when their occupiers retired to rest, was generally no more than a matted door, made fast with a string and a bamboo; and if, as they had all seen, that cutting that fastening in the night, and entering the hut with a felonious intention, had been held to be a burglary, the mere fact of occupation in all such cases being held sufficient to support the indictments, on many of which the offenders had been convicted and suffered death, he apprehended that if the present plea could prevail, they must consider all the former sentences of death, in such case of burglary, as so many murders.

If it were necessary to go into a title

title or right of possession, if the possession and occupation *de facto*, did not give a clear and sufficient right of action against wrong doers, then all such huts or dwellings would be placed beyond the protection of the law. The mere occupation of the hut by Kenoo, in the present case, was sufficient possessory right to support an action of trespass, in a civil action against all the world, except the company; and even if he could not have maintained a civil action against the company, yet had they forcibly removed his hut, in such case, there could be no doubt but a bill of indictment might be sustained against the person using such force, although as the servant of the company. In the present case, had they desired to remove Keenoo, they could not have done so legally, but by resorting to the usual process by ejectment; and the defendant would have a right to be heard in answer: where it otherwise, there would be an endless source of tumult and riot in every town and village throughout the country. The chief justice concluded an able and luminous argument, with repeating his opinion, that there was not the slightest foundation on which the motion in arrest of judgment could be sustained.

Sir JOHN ROYDS offered some arguments, in addition to those advanced by the chief justice, strongly confirmatory of his opinion against the motion. He maintained that arson was an offence against the possession, and that occupation was sufficient interest to found either a civil action or criminal prosecution.

Sir WM. BURROUGHS concurred in opinion with the other judges. There could be no doubt, he said, that were a man in England to build a house on the ground of another, thereby committing a trespass in law; yet were a third person maliciously to set fire and burn that house, the trespasser would have a right of action, or in case of indictment, the house might properly be laid as his.

Sir HENRY RUSSELL, in passing judgment upon the prisoner, addressed him to the following effect:—

"John Grant,—since I have sat in this place, I have never performed so painful a duty as that which I am now called upon to discharge; to pass the heaviest sentence of the law on a person of your age and condition in society. But a jury of your country have pronounced you guilty of a capital offence; by their verdict, which the evidence called upon them to give, the judgment of the law must follow. We do not sit here to make laws, but to administer them; and we must perform our duty, however painful it may be. You have been convicted on the clearest evidence, of one of the most malicious crimes which one human being can commit against another. You wilfully and deliberately set on fire the house of an unoffending and defenceless native. But it has been said, that that house was only a hut of very little value, and which might easily be replaced. True; but that hut was the only dwelling of this poor man. It was his asylum against the buffetings of the world; his place of rest after his daily labour; and, mean and humble as it was, ought to have been his castle of peace against your violence and outrage. The hut of the poor man is equally entitled to the protection of the law, as the mansion of the rich, and stands

stands much more in need of it. It is easy of access, defenceless, and constructed of such weak and combustible materials, that it is easily destroyed; whereas the dwelling of the rich is defended by guards without, and secured by bolts within. You would have found it difficult to have got access to such a house, for your wicked purpose, and, had you gained access, would have found it very difficult to set it on fire.

"I lament that this crime was committed by an European, who was sent to this country to protect the natives from violence and oppression, instead of exercising it against them. The natives are entitled to have their characters, property, and lives protected, and as long as they enjoy that protection from us, they give their affection and allegiance in return; but should the day ever arrive, which God forbid, that they should be denied that protection, then I fear that as we should no longer deserve, so we should no longer enjoy their allegiance and attachment, which I verily believe we do now most fully possess. It is an aggravation of your offence too, that you committed it whilst you was a member of an institution which cannot be carried on unless good order and discipline be preserved. You was placed here to learn the duties of a soldier, and of the military profession, which I suppose, like other professions, must require some time and study to acquire. You were there too, to be taught, among other useful parts of education, the language of those men, whom, when you came to be an officer, you would have been appointed to command, and which, from events that we have lately seen passing in the world, is a qualification both important and necessary.

"Yet, after all this, your case is not without circumstances of great commiseration. Therefore, the judges have anxiously considered, whether they could find any grounds on which they might conscientiously use in your favour, the power which the law has given them of commuting the punishment of death for that of transportation; and they hope that they have found such grounds.—The crime was committed early in the evening, when every body was stirring, so that the fire might probably be soon extinguished; and, indeed, it was so. No life was exposed to danger, and the hut itself was not so close adjoining to any other, as to endanger their being set on fire. And above all, the court consider that this is the first case of arson that has occurred since its establishment; and, although ignorance of the law is no excuse, yet as it is neither so generally, nor so publicly known as it ought to be, that the setting a hut on fire is capitally penal, and as what has passed on this occasion is sufficient to notify, even though you should not suffer death, the court on these considerations is disposed, and I believe they will in this case, mitigate your punishment. But should any similar case occur, no such considerations will apply, and the judgment of the law must fall on the offender, with its utmost severity.

"But still, should your life be spared, you must pass some years of it in exile; in that exile I hope you will conduct yourself better than you have done here. You may then hope to obtain from the King, the fountain of mercy, a further remission of your sentence.

May

May you so behave as to deserve it. In the mean time the sentence of the law must be passed upon you, and that is—That you be taken from hence to the place from whence you came, and from thence to the place of execution, and that you there be hanged by the neck till you are dead.

Sir HENRY RUSSELL delivered his address, of which we have attempted only a faint outline, with great feeling, solemnity, and effect. The prisoner was agitated, and deeply affected, and every individual of the numerous assemblage, with which the court was crowded, seemed to sympathize in his address.

The prisoner was dressed in a suit of mourning.

Four cadets on the Bengal establishment, tried and found guilty on the 14th ultimo, on an indictment for an assault on serjeant Turner, in Fort William, were brought to the bar to receive sentence.

An affidavit, accompanied with the copy of a letter, addressed to the right honourable the governor-general, expressive of the contrition of the defendants, was read in mitigation of punishment. The chief justice delivered an admonitory address to the defendants, in which he particularly adverted to the irregularity of their conduct since their commitment. Three of the defendants were sentenced to pay each a fine of one rupee, and to be imprisoned six months; the fourth was sentenced to pay a fine of one rupee, and to be imprisoned eight months.

Thomas Shouldham was then brought to the bar, and discharged from criminal confinement, the term to which he had been sentenced to be imprisoned, on an indictment for a misdemeanour having expired; but as Shouldham is still under confinement on a civil suit, and having lately, during his confinement, seduced a fellow prisoner to the commission of forgery, he was now ordered to be kept in solitary confinement, to prevent the further effects of his evil communications.

The sessions were then closed by proclamation.

Dec. 30.—In the course of Monday night, eighteen of the French prisoners of war, confined in Fort William, contrived to effect their escape, by cutting a hole through the wall of the building in which they were confined. They are supposed to have gone down the river towards Kedgeree, in the hope of seizing a pilot schooner, or some other small vessel, in which they may endeavour to get out to sea.

The opening through which the French prisoners escaped was so small, that they must have forced their way through it with the utmost difficulty. The sentinels were at their post, but from the darkness of the night, and the silence with which the escape was effected, no alarm or suspicion occurred till the following morning.

MOREAU AND CAPTAIN LARKINS.

TO THE EDITOR OF THE GAZETTE.

Isle of France.

SIR,—If you will be so good as to insert, in your next, the following piece, you will greatly oblige, Sir, Your's, &c.

(Signed) C. MOREAU.

Always at sea since the capture of the Warren Hastings, I was ignorant of the calumnies of captain Larkins, I now answer them. The

The Warren Hastings, after an action of three hours and a half, had just struck her colours. I received orders to go on board. The yawl, over the stern, having a shot through her, they were getting ready the other boats, and on which every body (Ang. All Hands) were employed. At this juncture, the Warren Hastings bore up, which we perceived when too late; as the jib-stay and halliards were shot away, we got on board the fore tack, but the frigate had not time to fall off, and we fell on board broadside to broadside. Indignation was, at first, at its highest pitch; the captain of the frigate ordered her to be boarded; one De Gagnes, a quarter-master, jumped on board the first; I followed him; the English appeared armed; they were repulsed.*

We all looked after the captain. I found him the first, and struck him with a dagger. I was, at that time, surrounded by my people, who all wished to punish him as he deserved. I therefore ask, who saved him, if it was not I? I ordered him to be taken on board the frigate, where the captain, being irritated, shewed great displeasure, and captain Larkins experienced the same reception, arising from the same sentiments, from every one; but, afterwards, when all were cool, they regarded him as a sufferer, and all was forgot. The captain of the frigate lodged him in his own cabin, and in five days he was cured of his wound.

Behold, Mr. Larkins, notwithstanding your affidavit, and those of your officers, how things have come to pass, and how you have represented them!— If, contrary to the laws of war and honour, you had not run foul of the frigate, and when your colours were struck, if your men had not demonstrated an intention to fight, the Warren Hastings would not have been taken a second time, and I should not have wounded you!!! †

You fell on board us purposely, and thus I prove it, for when I boarded the Warren Hastings, your helm was hard up, and we were to leeward, your rudder, tiller, and tiller ropes, were in good order, and I shifted the helm myself: your intention therefore was to run foul of us. Mr. Touissaint, one of your officers, has said, in the presence of the officers of the frigate, and of your own officers, that in the moment of being boarded, he encouraged the people to recommence the action; and I ask you, Sir, who gave him the authority? Still farther, your officers, when at the grand river on the Isle of France, have had the imprudence to assert, that the Warren Hastings ran on board of us to dismast us; your officers and boatswain said the same when on board the Warren Hastings, and that it was your interest to do it. Exclusive of your having run us on board, what damage had we sustained by your fire, so sharply and so well kept up by your own account? The Warren Hastings was

* Amongst those that presented themselves to repulse us, there was a midshipman, who threw himself down on the gun deck of the Warren Hastings, after having struck me with a cutlass, but luckily with the flat part; they all swore at St. Helena, that I wounded him.

† Mr. Wood, who says he was wounded too, had only received a blow with a handspike, or a stick from a sailor, because he made a shew of not delivering his arms.

was nearly dismasted, and in a bad condition; the Piedmontese had only the jib-stay and the jib-haliards, two fore-shrouds, and a part of the fore-top-mast back-stays shot away; and abaft, the damages were as insignificant.—Allow, Sir Company's Captain, that there is a great difference between a man of war and a merchantman.

I have been seeking for reasons which could have induced you to calumniate me in such an infamous manner. I have been able to adduce no other than such as are connected with the sentiment of placing money above every thing. You had much private trade on board the Warren Hastings; by the capture of the ship you would have been a great loser; you, therefore, wanted a pecuniary indemnication,—you have probably obtained it, by making yourself an object of that compassion which every one has for unfortunate courage.—Yes, Sir, your calumnies were a speculation,—you have slandered me merely for money,—for otherwise you would have spoken out sooner, and particularly to general Decean; your being a prisoner was a great claim for receiving judicial redress, you did not complain, because I was present, and could have immediately proved the falsity of your accusation, and then the captain-general would not have had the goodness to allow you to depart so soon. Do not pretend that a motive of generosity prevented you from accusing me, for fear of its ruining me; for why did you do it afterwards? Dare you to call yourself generous? you have accused me, in the face of mankind, as an assassin, when you knew my reply could not be made till a twelvemonth after your accusation? I tell you, Mr. Larkins, with bitterness, that the whole of your conduct is well worthy one who, under the shelter of the capstan, made his crew fight, but could only himself find tears to deplore a reverse of fortune, at a time when he ought to have displayed a different character.* It is possible, Sir, that you will add something more to your calumnies, which you may be assured I shall not answer. You have been paid without doubt—let me alone.

As captain Larkins has inserted his calumnies in all the papers in India, and as the naval commander-in-chief in India has inserted them in general orders, my friends have desired me to prove the injustice of this proceeding. I have, with the greatest reluctance, yielded to their desires, feeling that it did not suit me to entertain the public about myself, not having done any think remarkable,—and, particularly, as it appeared to be a measure, which the English might construe into justification.

TO THE EDITOR OF THE TELEGRAPH.

Calcutta.

Sir,—Having served with captain Larkins, of the honourable company's ship Warren Hastings, as third officer, during that ship's unfortunate voyage, and recollecting

* Mr. Larkins always flattered himself that we should be taken off the Isle of France; when he found that we were at anchor, in the grand port, he said, to the commandant, it is done now; yes, and well done—then he began to cry like a child.

ing every circumstance that occurred, during, and subsequent to, the action with the Piedmontese, I request you will do me the favour to insert, in your next, the undermentioned facts, in opposition to the vile and false assertions of Charles Moreau, as extracted from the Isle of France Gazette, in your paper of the 26th instant.

Captain Larkins's statement of facts has already shewn to the world the character of Moreau, and very justly and accurately has captain Larkins described that monster's conduct. I wish, for the honour of the situation he is placed in, I could mention him in softer language, but his atrocious conduct, towards a defenceless and gallant person, must, in my opinion, prove him actuated by those principles which are inimical to humanity.*

Moreau, in the first place, states he sought captain Larkins: he and his followers could have had but a trifling search, as I know captain Larkins stood on the quarter-deck, from which the intoxicated gang drove him to his cabin, as stated by captain Larkins. Moreau's system of saving a defenceless person is entirely new, his poniard was not used on board the captured ship for the purpose of saving; if his intoxicated followers had not possessed more discretion than himself, more crimes would have been committed.

Moreau says the tiller and ropes were in good order—granted; but the nail which confined the rope to the barrel of the wheel had been, by some accident, drawn; the wheel he may have shifted, but the helm remained useless.

As to running on board the frigate subsequent to the action, no such thing, I can with confidence assert, was intended; this, for a time, served Moreau as a cloak for his atrocious conduct to a defenceless, and, I can, with safety to my own conscience as a Christian, declare him, an inoffensive man. I likewise declare, that no one belonging to the Warren Hastings appeared with arms subsequent to the colours of the ship being struck, consequently Mr. Moreau had no one to subdue a second time, as he pretends. Mr. Touissaint never had the least idea of encouraging the men to commence the action, as stated by Moreau; and I declare, when confined with him on board, and in the grand river prison, neither he, nor any other of captain Larkins's officers, uttered a syllable in respect to any intention of running the ship down. The boatswain has declared to Mr. Bristow, late gunner of the Warren Hastings, and to the whole of his fellow prisoners, that he never spoke a single sentence to the purport stated in Moreau's false allegations; and to add another contradiction to Moreau's false aspersions, no midshipman ever lifted a sabre near him; and I again declare, that Mr. Bristow, midshipman, was poniarded through the hand and arm while in the act of getting some clean linen from his trunk after the action, and this was done by Moreau's orders, and Mr.

* The particulars of the conduct of Moreau towards captain Larkins and others, are circumstantially stated in an affidavit of the latter gentleman, and the principal officers of the Warren Hastings, in page 33, of the preceding volume of the Asiatic Register; with the directions of Admiral Sir E. Pellew, in consequence, to the commanders of his majesty's ships and vessels in the East Indies.

Mr. Hood was likewise poniarded through the arm, the French surgeon who visited the prison dressed the wound. I well recollect that when captain Larkins surrendered the ship, that I and the other officers followed his example, by taking off our side arms, neither did any one afterwards dispute the possession of them. If Mr. Moreau will allow Mr. Dutart, the master of the Piedmontese, to explain to him the manner in which the ships came in contact with each other, Mr. Moreau will find it does very little credit to his abilities as a seaman; it was in Mr. Moreau's power to have prevented the accident had he attended to the frigate; this Mr. Dutart has declared to me. But the man who glories in a falsehood is naturally lost to all sense of shame, and is pleased with his own atrocious conduct; and even when such conduct is detected, it may scarce cost him a single blush; such a disposition do I consider Mr. C. Moreau to possess.

In Mr. Moreau's own words, "he may see how things have come to pass;" and I solemnly declare what I have stated above to be just; and Mr. Bristow, who has arrived here in the Holstein, from the grand river prison, Isle of France, and knows the circumstances to be as above stated, will, with myself, at any time, make affidavit to them. G. D.

Calcutta, 31st December, 1807.

Occurrences for JANUARY, 1808.

Jan. 10th.—The fate of the English seaman, detained in China, as a hostage, on account of the homicide of a Chinese, in the early part of the season, in an affray with some English sailors, (of which the particulars are previously given in the 1st page of our chronicle) was not decided at the date of the present advices. The man was still detained to await the final adjustment of the affair.

The Mandarins had engaged, while the English supercargoes were at Macao, that the criminal court at Canton would be content with passing the sentence, usually denounced against foreigners guilty of lesser offences, namely, expulsion from China; or, as the correspondent of the Mirror terms it, banishment to his native country. This issue of the affair was for some time expected.

On the supra cargoes returning as usual from Macao to Canton, difficulties were started, and the subject was taken up with the appearance of much seriousness by the Mandarins, who proposed that the hostage should be brought to trial. On the 6th November, the Chief Mandarin of the court of justice, came out of the city in great state, and formally required of the supra-cargoes, that the hostage should be delivered up for trial.

To this proposition, Mr. Robarts the chief supra-cargo, gave a peremptory negative, though conveyed in the most polite terms. The Mandarin reported proceedings to the viceroy, who, on hearing of the refusal to give up the man for trial, affected an air of sullenness, and menaced the English trade with some obstruction. At this crisis, the Modeste frigate arrived at Macao:—The Mandarins conceived

ceived her arrival at this juncture, to forbode no hope of success to their design of intimidation; and a report was happily circulated at the same time, that the frigate came for the express purpose of claiming the British subject. The Mandarins now began to lower their tone; and signified to the supra-cargoes, that it was understood no further notice would be taken of the matter; and Mr. Robarts gave notice that the man, pursuant to the promised sentence of the Chinese Court, would embark for England with the first fleet.

The leading Mandarins at Canton appear to have employed the affair as an instrument to extort large sums of money, particularly from Mouquoa, the security merchant of the Neptune Indiaman, with whose crew the affray happened. Mouquoa had already paid to these rapacious ministers of corruption upwards of one lac and twenty thousand dollars. The supra-cargoes were of opinion that the matter would occasion no further trouble.

A brig under Portuguese colours was seized by the Modeste frigate in November, near the Typa, in consequence of certain information that she was Spanish property. It was doubtful whether she would be condemned at China or sent to Bombay for final adjudication.

Jan. 29. The first battalion of the 6th regiment of Native infantry, at Cuttack, were reviewed on the 22d inst. by colonel B. Marley, the commanding officer at that station; when the colonel was pleased to express his entire approbation of the appearance of the men, the correctness of the exercise, and the different evolutions of the battalion, according to the new regulations.

Monsieur Surcouff, the captain of a French privateer, availed himself of the opportunity of captain Haig, late of the Sir W. Burroughs, being sent on shore, to forward the whole of the baggage, instruments, books, &c. the property of Mr. Nicholl, captured on the 26th of September last, with the ship Mangles, and detained upwards of three months on board the privateer; and who made his escape in consequence of being sent by Surcouff on board the Sir W. Burroughs. Although the circumstances under which Mr. Nicholl made his escape were fair and honourable, they were such as must probably have occasioned Mr. Surcouff a good deal of irritation; yet he would not allow his feelings to interfere with what he considered to be due to propriety and a sense of right. It is but just that such instances of good conduct in an enemy should be made public.

The sentence of death passed by the supreme court or the 8th inst. on Mr. John Grant, convicted of arson, is commuted to a sentence of transportation for seven years, to New South Wales.

Regulation respecting Commanders and others arriving at Fort William, by the Right Hon. the Governor-general in Council.

Jan. 21st. 1808.

The right honourable the governor-general in council has been pleased to direct that all commanders, supra cargoes, and pursers of vessels, importing into the river Hooghly, shall, immediately on their arrival at Fort William, report themselves to the master-attendant at his office.

The

The master-attendant is hereby directed to report the arrivals to the right honourable the governor-general, and also to represent any occasional neglect, or disobedience of this order to his lordship.

The post-master-general will issue the necessary directions to the postmaster of Kedgeree and Diamond harbour, for the communication of this order to the commander of every ship on her arrival in the river.

By order of the right hon. the governor-general in council,

THOS. BROWN,
Chief Secretary to Government.

Field Army Orders, by Major-General Dickens, Muttra, Jan. 15th, 1808.

Major-general Dickens has much pleasure in expressing to major Knox, commanding the 2d regiment of Native cavalry, the satisfaction he has derived from their movements, and soldier-like appearance this morning at the review.

And it is equally incumbent on the major-general, on the approaching departure of this regiment from the station of Muttra, to offer his thanks to the whole of the officers, Native officers, and men, for their very exemplary conduct, during the whole time they have been under his command.

REID & WIFE *v.* S. GREENWAY.

This was a bill filed by the plaintiff to recover two tickets, drawn prizes of 20,000 sicca rupees, and 1,000 sicca rupees, in the Calcutta Lottery; and suggesting as his principal ground of equity, that he had given a commission to the defendant, and had supplied him with funds for the purpose, to purchase four undrawn tickets for him, and alleging that tickets had been purchased, and eventually were drawn prizes of the several amounts specified.

The circumstances, disclosed by the bill, were as follow:—the defendant had purchased some tickets, two of which he sold to the plaintiff at 100 rupees each, when the price of tickets was 125 rupees; one of the two tickets, within the first few days of drawing, was drawn a prize of 500 rupees. The plaintiff carried the fortunate ticket to the house of the defendant, and requested that he would purchase for him, the plaintiff, some undrawn tickets, with the produce of the prize, which the defendant agreed to do. When he sent to purchase the fresh tickets, he added 100 rupees to the amount of the prize, with the intention of taking one ticket for himself, not knowing that the price of tickets had risen so high as 150 rupees, at which they were then selling.

Four tickets were brought to the defendant, which he threw down on a table before some friends who happened to be present, telling them that he had purchased four tickets, three of which were for captain Reid, and one for himself. At the same time he requested that one of the party present would select the ticket which he should reserve for himself. Several of the company drew one ticket from the four, at the request of the plaintiff, which was put back at each trial, to the other three. In the event it was found, that one number had been drawn twice, when it was proposed that this ticket

ticket should be reserved. But a different ticket having been drawn on a further trial, some of the company suggested that the latter should be kept in preference. To please all parties the defendant resolved to venture two tickets, and that both should be kept, which was agreed to, and the defendant accordingly sent for an additional ticket, which being brought, he instantly sent, with two of the others, to the plaintiff, accompaniedwith the balance in cash of the 500 rupee prize, which he had received for the plaintiff. These three tickets and the balance were accepted and kept by the plaintiff.

Several conversations respecting this transaction took place on different occasions, in which the defendant mentioned to the plaintiff and others, that he had purchased four tickets at the time referred to, and had kept one of them for himself. No objection however was made to this transaction until four days afterwards, when the ticket, which had been twice drawn from the four, and selected for the defendant, as above described, came up a prize of 20,000 rupees. The plaintiff then made an application for this ticket to the defendant, through his attorney, alleging that he had given the defendant a commission to purchase four tickets for him, which had been done? that this was one of them, and consequently his property: but even then he made no demand of the other ticket, which had been selected at the same time, and which afterwards was drawn a prize of 1000 rupees.

After having heard many learned and ingenious arguments from the counsel on both sides, during the sittings of Friday and Saturday, the honourable chief justice, Sir Henry Russel, and his learned colleagues, the honourable Sir J. Royds, and the honourable Sir W. Burroughs, were unanimously of opinion, that this was a fair and honourable transaction on the part of the defendant, and the plaintiff had no right whatever to participate in any share of the produce of the fortunate tickets, and the bill was dismissed with costs.

Calcutta, Jan. 28.—In consequence of intelligence received by government, of a rupture between Great Britain and Denmark, a detachment of troops from the garrison of Fort William, under the command of lieutenant-colonel Carey, took possession of the Danish settlement of Serampore, at six o'clock this morning. The Danish ships in the river Hooghly were seized on the same day, by the honourable captain Elliot, of his Majesty's ship Modeste; by captain Montague, of his Majesty's ship Terpsichore; and by captain De Courcey, of his Majesty's ship Dasher. The following are the names of the vessels taken possession of by his Majesty's ships:

At Serampore—Ship Waldemar, 274 tons, and brig Maria, 80 tons.

At Calcutta—Ship Elizabeth, 300, ship Norske Bonde, 500, ship Maria, 520, ship Mary, 180, and brig Louisa, 140 tons.

At Diamond Harbour—Ship Holstein, 1200 tons.

At Culpee—Ship Copenhagen, 460 tons.

At Kedgeree—Ship Princess of Augustenburgh, 600 tons.

In the river,—Ship Little Catherine 300, and brig Freya, 110 tons.

Accounts from Coringa state the arrival, at that port, of the ship Palmer

Palmer, captain Sygney, of Chittagong, having been captured by the Bon Adventuras, (late brig Fancy) Monsieur Davy, who restored the ship, in consequence of her having no cargo on board; the Frenchmen informed captain Sygney that they had captured three ships (one of them from China) and three brigs. The Palmer was captured about sixteen miles from Coringa, and had several people killed and wounded by the privateer firing into her. Monsieur Davy disabled the privateer from making sail, by cutting her rigging and taking away some of her principal sails.

SUICIDE.—A coroner's inquest was lately holden on the body of John Fernandey, a native Portuguese, who had been confined the preceding evening in the Thanna, at Teiretta's Bazor, upon a charge of theft. It appeared that he had called for fire, and smoked a charoot about four in the morning, and on opening the door again at seven, it was discovered that he had put an end to his existence, by strangling himself with his handkerchief. The coroner's inquest found a verdict of *felo de se*. The sister of the unfortunate man charged him with the theft for which he had been confined.

Occurrences for FEBRUARY.

Table allowance for officers on board Indiamen, Transports, &c. &c.

General orders, by the right hon. the governor in council.

FORT WILLIAM, February 1, —The governor-general in council having had under his consideration the rules by which the table allowance, at present granted for officers on board of the honourable company's ships or transports, proceeding from port to port, has been established, is of opinion, that they do not afford an adequate compensation to commanders of such ships, and also that according to the rates allowed for the passage-money of officers on board of ships proceeding from port to port in India, the commanders in some cases are overpaid, and in others are not paid sufficiently;

His lordship in council, therefore, with the view of fixing, as far as may be practicable, one uniform rate of allowance to be granted in all cases, for the table and passage of officers embarking on board of ships on the public service, has determined that the different rates, heretofore allowed under the several resolutions of government, dated the 29th March, 1793, the 9th of August, 1799, the 27th January, and 21st July, 1803, shall be discontinued, and that an allowance of sicca rupees four annas per day shall be granted in lieu of them.

This allowance is applicable to the chartered ships of the honourable company, and generally to all ships engaged, as transports proceeding on the public service, unless in the instance of ships of the latter description, circumstances shall render it necessary to provide for the accommodation of officers under a special engagement for that purpose.

But his lordship judges it to be proper

proper to signify his expectation, that the commanders of ships, sailing under the protection of this government, will, on all occasions, conform to the rate above specified, in their demands of passage-money for officers accommodated on board their respective ships; and every officer from whom a higher rate of passage-money shall have been demanded, is directed to report the same to government, through the office of the adjutant general, specifying the sum paid, the name of the owner or commander who shall have received it, and the name of the vessel.

The Surcouff was boarded, off Masulipatam, by a French brig privateer, and plundered of a quantity of provision, firewood, and other articles.

A native, named Harry Doss, of Benares, was the fortunate holder of the ticket No. 3370, drawn a prize of 50,000 sicca rupees, in the fifth Calcutta Town Hall Lottery.

Feb. 2. A Chinese Junk arrived in the Hooghly, from Margui. It is said to be the first arrival of the sort in that river.

Escape from a Tiger—A Bhurr laden with water for the Castle Eden Indiaman, having, through the mismanagement of her people, got on ground on Saugur Island, Mr. Tyrer went with a boat's crew to endeavour to get her off; and for the sake of the walk leapt on shore, whilst his boat pulled towards the bhurr; and inclining a little way from the beach he unluckily came upon the haunt of a large royal tiger, which, by the noise he made, fortunately gave Mr. Tyrer warning of the danger in which he stood. On seeing the ferocious animal Mr. Tyrer sprang towards and rushed into the water, and the tiger plunged in after him in all the eagerness of pursuit. Mr. Tyrer, though an excellent swimmer, soon observed his adversary to gain upon him, when, with an admirable presence of mind, which ultimately saved him from the fangs of the monster, he dived beneath the water, and continued there as long as possible. On raising his head above the surface, he had the pleasure to behold his antagonist swimming leisurely back to land. He afterwards gained the ship's boat in safety, owing his escape to a quick and fortunate decision in a circumstance of great pressure and peril.

Occurrences for MARCH.

College of Fort William, March 2,

PUBLIC DISPUTATION.

The right honourable lord Minto, governor-general and visitor of the college of Fort William, having appointed Saturday the 27th of February, for a public disputation in the Asiatic languages, to be held in conformity with the statutes of the college, the governors, officers, professors, and students of the college, met at ten o'clock, at the government house; where the members the of supreme council, the judges of the supreme court, and many of the civil and military officers at the Presidency, with others of the principal European inhabitants of Calcutta, and a few respectable natives, were also assembled.

As soon as the right honourable the visitor had taken his seat, the public exercises commenced in the following order.

First. HINDOOSTANEE

Disputation.

—" Position. In the acquirement of knowledge,

knowledge, genius cannot avail without application."

Respondent, E. R. Barwell.
First Opponent, Alexander.
Second Opponent, Sisson.
Moderator, Dr. John Leyden.

Second. PERSIAN *Disputation.*

Position.—"The Persian language merits attention, not only on account of its utility; but also from the beauties of the compositions in that language."

Respondent, Lindsay.
First Opponent, Alexander.
Second Opponent, Colvin.
Moderator, M. Lumsden, Esq.

Third. BENGALEE *Disputation.*

Position.—"The natives of Bengal are happier under the British, than they were under any former government."

Respondent, Tytler.
Opponent, Dick.
Moderator, The Rev. W. Carey.

Fourth. ARABIC.
Declamation, Colvin.
"On the utility of learning, and the advantages resulting from the institution of literary seminaries."

Fifth. MAHRATTA
Declamation, Sotheby.
"On the utility of the study of the Mahratta language."

As soon as the disputations and declamations were concluded, the president of the College Council presented to the right honourable the visitor, the several students of the college, who were entitled under statute 8th, to receive degrees of honour, as well as successively the whole of the students, who, at the late examination, had been found qualified to enter upon the public service, and had consequently obtained permission from the visitor to quit the college, under the rule contained in Section 12. Regulation 3, 1807. The president read the certificate granted by the Council of the College to each student respectively, in pursuance of the above statute, specifying the proficiency which he had made in the prescribed studies of the college; and also the general tenor of his conduct, with the amount, if any, of the debt contracted by him during the period of his attachment to the college. When the certificate had been read, the visitor presented to each student, entitled to receive a degree of honor, the usual diploma inscribed on vellum, and, at the same time, expressed the satisfaction which he felt in conferring it.

The students on whom the right honourable the visitor was pleased to confer a degree of honor on this occasion, and the languages, for their high proficiency in which the degrees of honor were respectively conferred, are, as follow:

Alexander F. Tytler, Persian, Hindoostanee and Bengalee.
Alexander J. Colvin, Persian and Hindoostanee.
William Lindsay, ditto.
Robert Alexander, ditto.
Thomas Sisson, ditto.
J. Munro M'Nabb, ditto.
E. Rich. Barwell, Hindoostanee.

The honorary prizes and medals, adjudged at the late public examination, were distributed by the president of the College Council, in presence of the visitor, to the following students:

Alexander F. Tytler, as per annexed report.
Alexander J. Colvin, ditto.
William Lindsay, ditto, and a medal as third in Persian writing in 1807.
R. Alexander, ditto, and a medal of merit

rit adjudged in the 2d term for proficiency in Hindoostanee.

Thomas Sisson, as per annexed report.

J. M. Macnabb, medals of merit for proficiency in Hindoostanee, in the 2d and 3d terms.

E. R. Barwell, as per annexed report.

W. A. Chammer, a medal of merit adjudged in the 3d term, for proficiency in Hindoostanee; and another at the late examination for proficiency in Persian.

George Ellis, as per annexed report.

Wm. Fleming Dick, ditto.

S. T. Cuthbert, ditto.

George Sotheby, as per annexed report. Also a medal of merit adjudged in the 3d term, for proficiency in Hindoostanee, and another at the late examination for proficiency in Persian.

C. G. Blagrave, as per annexed report.

R. Chamberlain, ditto.

Wm. Forrester, ditto.

Charles Tucker, a medal, as second in Nagree writing in 1807.

After the prizes and honorary rewards had been distributed, the right honourable the visitor, delivered the following discourse.

Gentlemen of the College of Fort William,

In addressing a body constituted as you are, I have to regret, that the course of my pursuits and occupations has not led to those attainments, which can enable me to form a personal judgment on the interesting objects which are peculiarly connected with the solemnities of the present day, much less to bring into this chair the authority of the distinguished, and accomplished person who lately filled it. In the delicate and scrupulous office, however, of distributing the honors and rewards, which are annually assigned to talents, application, and conduct in this place, I have felt no diffidence, and I shall feel none in performing the remaining duties of the day, by observing on the progressive success of this institution, both in its immediate and peculiar functions for the instruction of youth, and in its more general tendency to promote the improvement and extension of Oriental literature; I feel no distrust, I say, in the execution of duties so foreign to my personal habits and acquirements, because my own deficient judgment has been guided by that of learned and honorable men, whose enlightened testimonies, I know, can not mislead me. Speaking, therefore, no longer in my individual character; but as I ought, and as I am about to do, in that of the high office which I have the honor to bear, I rest on the firm and secure grounds, which ought to be the foundation of every act, and of every sentiment issuing from such offices; I mean the collected wisdom, knowledge, and discernment of those, who are qualified, by their station, and by personal endowments, to aid me with their counsel.

Supported, therefore, by such authority, I am happy to commence my first discourse from this seat, by congratulating the college, and the public, on the satisfactory and honorable proofs afforded in the present examination of the growing advantages derived from this institution, and of the progress continually making towards the accomplishment of its important ends. These gratifying results are evinced both by the proficiency of the students in the different branches of learning which they have cultivated; and in the valuable additions which have been made to the general stock of Eastern literatures, by the learned labours, as well of able men attached to the college, as of other studious persons who drink at the same spring.

If a comparison were drawn between

between the present year and the three preceding, the result would be extremely advantageous to the latter period; and would justify, on clear and satisfactory grounds, the assertion which I am happy to think myself warranted in making, that the college of Fort William is advancing in a course of sensible improvement. But as the number of years we should have to review might render the argument somewhat complicated, and as a parallel between the present and the last preceding year, will yield the same conclusion, I shall content myself with a few observations on that view of the subject.

The first indication of progress which I have the satisfaction to remark in the present year, compared with the preceding, is, that a greater number of students have been found sufficiently proficient in the Oriental languages to quit the college, and to enter on the duties of the service. Twenty names have been reported this year competent to the functions of public business. The number which the examination of the preceding year furnished to the service was fifteen.

I observe also, with satisfaction, that the number of students who have presented themselves for examination in the Persian language, has considerably increased. At the former examination it was fifteen, it is now twenty-seven.

In the preceding year, three students had attained a sufficient eminence in the knowledge of Persian to be ranked in the first class.

In the present year that number of eminent Persian scholars is doubled.

In the former year, five were placed in the second class.

In the present, nine have attained the same degree of proficiency, and in the present year the same number are found in the two superior classes, as occupied three at the former examination.

It is also worthy of remark, as denoting either improvement in the mode of instructions, or increased application in the students, but indicating, either way, in effect a very satisfactory progress in the institution itself, that a competence in the collegiate studies, qualifying the students for the public service, was found to have been obtained this year in a period considerably shorter than appeared to have been the case at the former examination.

Of the fifteen gentlemen who were qualified to leave college in January, 1807, three only had attended college less than two years.

Of the twenty who are this year qualified for the service; ten have attained that proficiency in a shorter period than two years.

Last year the longest period of study was two years and eleven months.

This year the longest period has been two years and five months.

The shortest period at the former examination was one year and three months.

The shortest of this year has been so little as four months, and there is another example of five.

These latter instances, indeed, of extraordinary and successful application to studies, the difficulties of which have been acknowledged by the most able and the most diligent, should rather be ascribed, no doubt, to the extraordinary efforts and abilities of the individuals to whom I allude, and whom I shall not easily forget to name in their proper place, with

with the honor that is due to them, than adduced as a fair argument of superiority in the particular period that has happened to produce them. But, in truth, we are entitled, on a general comparative average of time, at the two examinations, to claim a sensible progress in the success of this college during the last twelve months.

It is impossible, in this place, not to remark, that the progress of this year, which I have just established, bears a strong testimony to the wisdom of a very material alteration which has been made, since the examination of 1807, in the rules which formerly prevailed respecting the period of attendance on the college of Fort William prescribed to the students. The whole of the junior civil servants were formerly attached to the college during a fixed period of three years. The alteration to which I allude was made by section 12, regulation 3d, 1807, which rescinded the former rule, and provides "that their continuance in college will henceforward be regulated by their proficiency;" and it is added that "the patron and visitor will determine from the reports of proficiency made to him after the public examination, when the students may be permitted to quit the college as having completed the prescribed course of study."

After the system which now subsists for the education of the company's junior servants, was adopted, that is to say, when provision was made in England by instituting the college at Hertford, for the more general branches of instruction, and for an elementary and preparatory introduction to Eastern learning, and when the studies to be pursued at the college of Fort William were limited to the languages of Asia, and to the laws and regulations of this presidency, it became unnecessary to detain the young men destined for the public service, in a state of inaction, during a period which, having been fixed in contemplation of a more extended course of study, would not have been too long for the completion of such a plan; but ceased to be requisite for the contracted and supplementary course reserved for this college. The competence of the student for the business of India, is now the reasonable measure of his confinement to college, and its protraction beyond that point, becomes unprofitable to the public, and, speaking generally, detrimental to the individual.

In these respects, therefore, the alteration was salutary; but it was conducive also to another most desirable end; for by supplying a powerful inducement to diligence and exertion, it infused into the studies of the college, that ardour and activity, which a distant and a fixed period of emancipation must have tended to damp and repress. The two causes appear, accordingly, to have produced their corresponding effects; and the efficiency of the new regulation, in animating the studious efforts of our young brethren, has been signally manifested on this first occasion, when the test of experience could be applied to it. I think it on that account my duty to declare, that the sense I entertain of its importance will ensure, on my part, an impartial and inflexible execution of this beneficial rule.

The period of attendance on college, and that of entering on the great theatre of life, will be regulated therefore by the proficiency of each individual in the studies prescribed to him. Those whose diligence

diligence may have abridged the term of restraint, will not only enjoy sooner the fruit of their labour, but even the sweets of liberty will be enhanced by honour, and they will carry into their new condition, the reputation and distinction which their former merits had obtained.

I refrain from the more ungracious delineation of the opposite consequences, which must accompany the slow entrance of those into the world, who may have permitted a succession of juniors to pass before them, and who will have to endure the uneasy gloom and humiliation, which always attend both the consciousness and the display of inferiority. It is enough in this place to say, that an early or a late entrance into the service, are the first consequences of meritorious or blameable conduct at college. There are undoubtedly other and more important points depending on the same criterion, but I shall speak of them in another part of my discourse.

I have had the satisfaction to confer degrees of honour, and other marks of approbation and distinction on the gentlemen whom I am about to name.

Mr. Tytler,
Mr. Colvin,
Mr. Lindsay,
Mr. Alexander,
Mr. Sisson,
Mr. Macnabb, and
Mr. Barwell.

The degree of honour is itself an unequivocal testimony of distinguished merit, because the statutes of the college have wisely required such proof of excellence, in those who aspire to it, as diligence and talents united can alone furnish. I am unwilling, however, to pass unnoticed the particular claim to distinction on which each of these candidates for honour has successfully asserted.

Mr. Tytler stands in the highest class of Hindoostanee and Persian, and his name is at the head of those who have studied the vernacular language of Bengal. To eminence in two languages, and to the first place in another, his industry and capacity have enabled him to add an elementary acquaintance with a fourth; I mean the Mahratta; a language more immediately connected indeed, with the service of other presidencies, but no unprofitable acquisition in some departments of the public service under the government of Bengal.

Mr. Colvin has attained eminence in the Persian and Hindoostanee languages, and in the midst of those occupations, has obtained the first place, with the distinction of a medal, in the study of Arabic.

Mr. Lindsay occupies the first place in the first classes of Persian. He is in the highest form of Hindoostanee, and is second only to Mr. Colvin in Arabic. To these successful and various studies, he has added the difficult, but valuable accomplishment of high proficiency in writing, both the Persian and the Nagree characters. I should do injustice to the talents and application of Mr. Lindsay, if I did not observe, that the merit of these numerous acquirements is enhanced by the short period in which he has triumphed over so many difficulties. Mr. Lindsay entered college in the month of November, 1806, and has entitled himself, therefore, to quit it with singular honour in the short space of a year and two months.

Mr. Alexander holds the second place, and stands, therefore, amongst the most eminent both in the Persian and Hindoostanee languages,

languages, having attained that distinction by the assiduous application of little more than one year and six months.

Mr. Sisson and Mr. Macnabb, have furnished other examples of the success which attends a diligent and vigorous exercise of talents, by rising in a year and a half to the first classes of the Persian and Hindoostanee languages.

And Mr. Barwell has the distinction of possessing the first place in Hindoostanee; the third in the useful language of Bengal; and the first in the art of Nagree writing.

I should indulge myself in a wider field of commendation than is warranted by former practice, if I were to recite the names; and, it would be no inconsiderable number of our younger members who have already given earnest of future eminence, and in this honorable conflict of early talents and virtues, have already seized on stations beyond their standing. But if their claims on public approbation are not yet mature for this anniversary, do not let them imagine they are unobserved. I have a pleasure in declaring, as patron and visitor of this important establishment, that I keep even the youngest in my eye, and while we are gathering on this day the ripe fruit of one abundant summer, I am happy to contemplate the fair blossom which in its turn is to crown the promise of another.

Forbearing, however, as I do, from the premature notice of good conduct, however commendable in itself in the first stages of academical life, I should feel far short of a duty at once sacred and grateful to me, if on this day of public testimony to merit, I should withhold from acknowledgement and applause two names, low indeed, in the list of your college, but already conspicuous in the roll of its honours.

Mr. Chalmer, who entered the college of Fort William but last August, has in January been declared to possess a competent proficiency in Persian and Hindoostanee with an elementary knowledge of Arabic. A progress so rapid and so remarkable, has required, and, therefore, evinces a rare union of distinguished qualities. Labour would alone have conducted him to the same goal, but at a slower pace. Genius, unattended by industry, unstimulated by a liberal love of learning, and undirected by a steady sense of duty, might have made less progress than even dulness itself. But abilities and application vigorously addressed to the discharge of duty, have opened to him the career of life almost in its dawn, and presented to him the early prospect of honor and advantage generally reserved for riper years.

Mr. Sotheby has in four months' study, merited the following testimonial, which I shall read in the very words with which the learned council of the college conclude their report of those gentlemen, whom they have adjudged to be qualified to leave the college and enter on the public service.

"Mr. Sotheby having attained high proficiency in the Hindoostanee, and considerable proficiency in the Persian and Mahratta languages, appears to be fully competent to enter on the public service; but as he does not belong to this establishment, and as the college council understand he does not at present wish to leave the college,

college, his name is not included in the above report."

Every line of this passage appears to me pregnant with praise of the highest quality.

Mr. Sotheby, it is observed, "does not belong to this establishment"

The circumstance is a remarkable feature in Mr. Sotheby's case.

The admission of gentlemen belonging to the establishment of other presidences to the college of Fort William, is not in strictness conformable to the regulations which it has pleased the honorable court of directors to appoint on that subject. But the literary thirst of Mr Sotheby's eager and inquisitive mind, and the sound, well-regulated, well-directed, and ingenuous ambition of his ardent character, were not to be repressed by a general regulation merely of convenience, made for ordinary cases, but not inflexible, as it has proved, to the individual claims of bright exceptions. Mr. Sotheby, therefore, began by surmounting that obstacle, and was warmly welcomed into the very sanctuary which he violated. How well he has justified this deviation from law, and redeemed his own offence and ours, by the fruit which it has borne, the college council has just apprized us.

The report which I have read states that, "Mr. Sotheby having attained high proficiency in the Hindoostanee, and considerable proficiency in the Persian and Mahratta languages, appears, to be fully competent to enter on the public service."

As the attainments thus reported by the college council, were made in the short space of four months, and exceed so far the usual achievements of industry and capacity as to wear almost an air of fable and prodigy, no higher testimony could be borne to those qualities, and to the signal, and remarkable degree in which Mr. Sotheby possesses them, than the report which I have just read. Government would surely have concurred in the conclusion which follows "that Mr. S. was fully competent to enter on the public service;" and in confirmation of that sentiment, it will not be imagined that marks of confidence and favor, would have been wanting to endowments so worthy of both.

The report concludes,

"And as the college council understand he does not at present wish to leave the college, his name is not included in the above report."

Eminent as the place undoubtedly is in our esteem, to which the studious energy of Mr. Sotheby has entitled him, it is, I confess, in the point last alluded to, that he stands, in my judgment, most remarkably and most honorably distinguished. We are all acquainted with that impatience for manhood which is in a manner characteristic of youth. There are two ways of asserting that claim, and gratifying that impatience; one, and I fear the most general, is to assume, in haste, the forms, costume, and habits of men; to emulate their expenses, without the means; to copy their ridicules, and to anticipate their vices. The other, and least frequent mode of aspiring to, and hastening manhood, is to accumulate knowledge, to mature the mind, and to put on the true properties and character of man. He who in his desire to be, and not to seem a man, consents to prolong the restraints, the disqualifications, the privations, the

the dependence of boyhood or youth, is already the man that others would strive in vain to appear.' To Mr. Sotheby, the door of restraint was unbarred, the world stood open to his view, and with all the enticements of novelty, of favor, and of honors, invited him to the fellowship of men. He has had the manly judgment, and the manly fortitude, to turn his back upon those allurements, and has chosen to merit, rather than to possess, the tempting objects which seemed to court his acceptance. He has, indeed, made that choice which the moral fable of antiquity has taught us was recommended by wisdom, and rewarded by fame and immortality. I have dwelt, I confess, somewhat largely on what appears to me a rare example of early maturity in judgment, talents, and character; because I have thought it, in truth, entitled to a place in the fasti of your college, and *si quid mea carmina possint*, the name of Mr. Sotheby shall not be omitted in its tablets.

If I have been silent hitherto, on the acknowledged merits of the professors, and other officers of the college, it is because I felt, that the excellence of the scholar, is the best praise of the master, and that the favourable sentiments I have been so happy as to express, concerning the general and increasing proficiency of students, conveyed in the least questionable, and, perhaps, the most acceptable way, form the panegyrick of the preceptor. I have great satisfaction, however, in saying distinctly, that the skill, assiduity, and learning of the professors, and their coadjutors, have never been more conspicuous than in the present year.

I feel myself, indeed, responsible for having, in one instance, withdrawn from the college, one of its most distinguished and efficient members. But, if I have despoiled one temple of its ornaments, it has been for the decoration and service of another. If the familiar and universal knowledge of Dr. Leyden, in the numerous languages of the East, and yet much more, of his profound researches into the science of Eastern philology, be considered, we should ascribe such extensive erudition and acquirements to the severe labour of a long life; while, in reality, their sudden and rapid attainment has resembled rather the gift of tongues, or some peculiar privilege of his own, than the slow process and long vigils of human study. The regrets of learning, however, which follow the transfer of Dr. Leyden to other functions, will, I am persuaded, yield to the reflection, that the same acute, informed, upright, and delicate mind, is enlisted in the service of the highest and dearest interests of society.

I pass, now, to the notice of those accessions to the literature of the East, which have been already made, and of those which are in progress either in immediate connexion with the College of Fort William, or associated to it by a similarity of liberal tastes and pursuits in their authors.

A printing press has been established by learned Hindoos, furnished with complete founts of improved Nagree types of different sizes, for the printing of books in the Sanscrit language. This press has been encouraged by the College to undertake an edition of the best Sanscrit dictionaries, and a compilation of the Sanscrit rules of grammar. The first of these works is completed, and with the second,

second, which is in considerable forwardness, will form a valuable collection of Sanscrit philology. It may be hoped, that the introduction of the art of printing among the Hindoos, which has been thus begun by the institution of a Sanscrit press, will promote the general diffusion of knowledge among this numerous and very ancient people; at the same time, that it becomes the means of preserving the classic remains of their literature and sciences.

The compilation of an alphabetical Sanscrit dictionary, from the principal vocabularies of the language, and other authorities, had been undertaken, soon after the institution of the College, by learned natives, employed for that purpose. The work, which comprizes the etymology, as well as interpretation of each term, together with examples from classical writers, has been lately completed, and a copy has been deposited in the library of the College.

A dictionary, Sanscrit and English, consisting of the text of the celebrated Amera Cosha, with a translation and notes, the value of which will be understood, when I say that they are the work of Mr. Colebrook, late president of the college-council, has been long in the press. The work is now completed, and may be expected to be published in a few months.

A plan of a comparative vocabulary of Indian languages, in imitation of that which was executed under the order of the empress Catherine, for the provinces composing the Russian empire, was proposed in the preceding year, by Sir James Mackintosh, who adorns and improves the short leisure of a laborious station, with learning, and the promotion of learning. His proposal was founded on a very just view of the value and importance of the information, which such a comparison may be expected to afford. A more extensive plan for the compilation of grammars and dictionaries of Asiatic languages, had been also suggested by Dr. Leyden, who had it in contemplation to undertake, himself, the task of conducting the compilation. This plan being, however, deferred, the council of the college adopted a different arrangement, with the view of furnishing the information sought by Sir James Mackintosh, and, at the same time, forming a useful collection of vocabularies of all provinical languages and dialects of India. For this purpose, a vocabulary in Persian and Hindoostanee, and another in Sanscrit and Bengalee, have been prepared, and will be printed and circulated, for the purpose of being filled up by competent persons, with the corresponding terms, in other languages in use in India. The printed vocabularies will soon be completed: and, as it cannot be doubted, that assistance will be cheerfully rendered by every gentleman whose local situation enables him to forward this useful undertaking, the successful issue of it may be confidently anticipated.

Meer Sher Ulee, theh ead Moonshee in the Hindoostanee department of the college, having compiled and arranged, in the Hindoostanee language, a work on the History and Geography of India, has been encouraged by the college to print it for publication. The dissemination, by means of the press, of works composed by natives, eminent for their knowledge and practical skill in this dialect, must

must gradually polish, and fix a standard of excellence in a language, which, though long employed as an elegant medium of colloquial intercourse, and as the vehicle of poetical imagery, has hitherto been little used for prose composition.

The college-council, and the Asiatic Society, who formerly resolved to support Mr. Cary and his assistants in a translation of the Rámayán, have since determined to extend a similar support to the publication, by the same persons, of the text books of one of the systems of Hindoo philosophy, entitled Sánc'hyá. This will constitute a further step towards the attainment of the interesting object of making known, by means of literal versions, those works in the ancient language of India, which are held in greatest estimation by the Hindoos themselves.

A dictionary of the Mahratta language, compiled by Mr. Carey, and printed by him in the Mahratta character, has been some time in the press. It is a work which has been long wanted, and the publication of this, with the grammar before prepared, by Mr. Carey, furnishing the means of acquiring a very useful language, will be found of essential benefit by the junior servants of the company, on the establishments of Fort St. George and Bombay.

We are indebted to Mr. H. P. Forster, for two works of great labour, learning, and utility, in Sanscrit philology.

The first, of which about 400 pages are already printed, contains,—1. An essay on Sanscrit grammar, with tables of inflections;—2. A dissertation on Sanscrit roots.—3. A translation of the Mugdabodah, a celebrated treatise on Sanscrit grammar, in which the enigmatical expressions of the original are fully illustrated, and the rules exemplified. Mr. Forster's second work, which is nearly ready for the press, consists of a dictionary, in the Sanscrit and Bengalee languages. The words are arranged alphabetically, with a translation into English. The etymologies are pointed out, and where necessary, confirmed and illustrated by examples.

Mr. F. Gladwin has contributed to the stock of Indian philology, a dictionary of Persian, Hindoostanee, and English, in three parts, composing three octavo volumes. The first part contains words in familiar use; including Synonyma. The second Arabic and Persian words, that occur chiefly in books; compound and metaphorical allusions. The third supplies indexes to the different languages.

In this enumeration, I must not omit a work of Mirza Kazim Ali Juan, entitled, an Historical Account of the Bhamini Dynasty of the Dekhan, being nearly a translation into Hindoostanee of that portion of Ferishta's Persian History.

There are two languages which, although included within the comprehensive scheme of Oriental study, embraced by the college of Fort William at an earlier period of the institution, are not provided for in the modified plan of instruction to which the College is now restricted: Both languages, however, are spoken within the company's possessions, and one of them occupies many regions, scattered over a great space, which is not only the seat of an active and extensive commerce,

merce, but the theatre often of other important and interesting transactions.

The languages to which I allude are the Malay, and the Affghan, or Pooshta. Although on the present scale of Oriental studies at the College of Fort William, other languages undoubtedly have deserved a preference to its immediate support and patronage, yet I cannot think either of those I have mentioned entirely devoid of interest; in the first place, as branches of the general and liberal pursuit of Eastern learning, which we profess; and, in the next place, as bearing either a present and immediate, or, in the many chances of human vicissitude, a prospective, and, perhaps, not remote affinity to our affairs.

Under these impressions I have not deemed it wholly foreign to the occasion, that I should notice any progress that may have been made in the cultivation of these tongues.

I shall begin with the Affghan, which is spoken as well in Rohilkund, and all the Affghan districts in our possession, as in Affghanistan proper.

The first steps, in facilitating an access to that language, were made, I understand, by Emir Mahummed, a native of Peshawer, in Affghanistan, who, at the instance of Dr. Hunter, formed a vocabulary of this language, accompanied by translations into Pooshta of a few short tales in prose.

The field, however, did not long remain in his single occupation. He was joined by a zealous Orientalist of our own country, who, invited by these first specimens of Affghan produce, was tempted into this new province of philology. The fruits of this association were, the extension of Emir Mahummed's vocabulary into a considerable dictionary; an essay on Affghan grammar; and a more finished version of the prose compositions.

The progress did not stop here; The interest of the Affghans, awakened to the honour of their language, by the curiosity and exertion of strangers; and Mohuebut Khan, a chieftain of Rohilkund, a learned man, and son of the celebrated Hafiz Ramut, roused by the researches of colonel Collins, concerning the Affghan composition, set about compiling a dictionary of the Pooshta language, which, with the assistance of his own learned Affghans, he accomplished in the space of one year; a work which, I am able to say, on better authority than my own, does high credit to the spirit and exertion, as well as to the learning and capacity, of the Rohilla chief.

The Malay language is that of trade and general intercourse on the shores of the Eastern Isles, as well as on the Malay peninsula. In our settlement on the Prince of Wales's Island, and on Sumatra, it is of the same importance as the Hindoostanee and Persic, taken together in this part of India; for, in addition to its being the language of general intercourse, it is also that of deeds, official papers, and records. It is, therefore, satisfactory to know, that this medium of human communication is not entirely neglected. At Penang, Mr. Shaw has made considerable progress in publishing a grammar of the Malay language. This work, by the accounts of it, which have reached me, will be found to contain a considerable mass of very valuable

luable materials. Mr. Shaw has sought for his information at the fountain head; both in the most approved Malay compositions, and at the courts of the Rajahs of that country, where he has the merit of having resided for the laudable purpose of improving his knowledge of the language.

The same language has been successfully cultivated by Mr. Raffles, secretary to the government of Prince of Wales's Island, who, much to his honour, has been long employed in compiling a complete code of Addat Malaya, or Malay laws, from the best authorities in the Malay and Boughese languages.

If I have not passed beyond the legitimate bounds of this discourse, in ranging to the extremity of those countries, and to the furthest island of that vast Archipelago, in which the Malay language prevails, I shall scarcely seem to transgress them, by the short and easy transition thence to the language of China. I am, in truth, strongly inclined, whether regularly or not, to deal one encouraging word to the meritorious, and, I hope, not unsuccessful effort, making, I may say, at the door of our College, though not admitted to its portico, to force that hitherto impregnable fortress, the Chinese language. The means, we all know, that, in the present circumstances, can be employed in that difficult undertaking, are very inconsiderable. The honour is so much the greater to those, whose enterprize seems already to have opened at least a prospect of success. Three young men, I ought, indeed, to say, boys, have not only acquired a ready use of the Chinese language for the purpose of oral communications, which I understand is neither difficult nor rare, amongst Europeans connected with China; but they have achieved in a degree worthy of admiration, that which has been deemed scarcely within the reach of European faculties or industry; I mean, a very extensive and correct acquaintance with the written language of China. I will not detail the particulars of the examinations which took place on the 10th of this month at Serampore, in the Chinese language, the report of which, however, I have read with great interest, and recommend to the liberal notice of those whom I have the honour to address. It is enough for my present purpose to say, that these young pupils read Chinese books and translate them; and they write compositions of their own in the Chinese language and character. A Chinese press too is established and in actual use. In a word, if the founders and supporters of this little College have not yet dispelled, they have at least rent and admitted a dawn of day through that thick impenetrable cloud: they have passed that *oceanum dissociabilem*, which for so many ages has insulated that vast empire from the rest of mankind. Let us entertain at least the hope, that a perseverance in this or similar attempts, may let in at length upon those multitudes the contraband and long-forbidden blessings of human intercourse and social improvement.

I must not omit to commend the zealous and persevering labours of Mr. Lassar, and those learned and pious persons associated with him, who have accomplished, for the future benefit, we may hope, of that immense and populous region, Chinese versions in the Chinese character,

character, of the gospels of Matthew, Mark, and Luke, throwing open that precious mine, with all its religious and moral treasures, to the largest associated population in the world.

It is impossible to be silent to day on the change which has removed from your chair the eminent scholar, who, speaking in the scale of human rank, now fills a higher place. I cannot, however, condole with you on that event, because, in reality, while additional honours have fallen on the heads of your two most distinguished members, no substantial alteration is experienced by your learned body. The promotion of Mr. Colebrook, will not be found to withdraw him from the cultivation, the protection, or the encouragement of learning. To operate such a revolution, it is not enough to pass Mr. Colebrook from one honourable station to another. He must be made a new man and divested of himself. He who in Asiatic letters, *facile princeps*, surrounded by illustrious scholars, has held by acclamation and general consent, the highest place, can neither abdicate that precedence, nor lay down either the practice of study, or the literary affections and solicitudes which are its attributes. The benefit which the State is to receive from the seat he now occupies, is not detracted from you. His new honours are new ornaments to your society, and his additional rank and authority augment his power, without diminishing his zeal to serve your cause. But, if in literal truth it must be said, that one golden branch has been broken off from your tree, *non deficit alter*. Your chair is again filled by a distinguished scholar, and an upright and an able magistrate. In both characters, I am bound to day, to present to Mr. Harington, the acknowledgements of the College and the public, for the Analysis of Mahomedan law, with which he has enriched them both. A work, to which the scholar and the judge seem, as if in emulation, to have brought their choicest contributions. It is, indeed, fitting in all countries, but indispensable in this, that those two characters should meet on the benches of our highest tribunals. Nothing can better illustrate the gains that accrue to all, by the kindly traffic amongst men of reciprocal benefits, than this work. While Mr. Harington, as a man of letters, has gathered the flowers of literature from the native volumes of Mahomedan jurisprudence, he makes a rich return to our native subjects, in the pure dispensation of a law, which they love and are accustomed to revere. That the learned forms of our college may long supply such magistrates, and that the venerable benches of our tribunals may long return such scholars to preside in your council, is the wish of one, who, unlearned himself, is an ardent lover, both of learning and justice.

I am desirous, before I conclude, to address a few words to the younger part of my audience. In doing so, I should wish to lay down my authority, or, if it must be maintained, let it be that of a parent, tempered with indulgence and affection.

Two objects are proposed by these solemnities: — First, the mere and pure satisfaction of justice, that merit may not be defrauded of its due reward, but may receive the best and highest external recompence with which it

it can be requited. I mean its manifestation to the world, and the homage of public acknowledgment and applause.

The second object is combined of justice and public policy. It is, undoubtedly, proposed by these ceremonials, to promote exertion by exciting a liberal and ingenuous emulation, and by kindling the most generous, and, at the same time, the most manly ardour, that can influence young bosoms, the love of genuine and honourable fame.

It is here, too, that the only path which leads to that bright temple is discovered. The love of fame is not evinced, or, at least, will never be gratified, by a mere careless and inert desire to wear its feathers. That mistress must be won by constant and assiduous service; not by starts of energy, which the very caprice of idleness can furnish, but by patient and steadfast exertion; by opposing repeated effort to repeated difficulty; awakening indolence by zeal; subduing fatigue and disgust by courageous and resolute perseverance; defeating seduction by principle; and, finally, terminating all contest, and triumphing over all obstacles, by the establishment of virtuous habits.

Since our object, then, is to excite diligence and promote study, it falls naturally within the scope of my discourse, to exhort you on that head. You are young, but not boys; your occupations, too, are of a manly cast, and must have tended to mature, although they could not add to your years. As men, therefore, I propose to address you; and, instead of cajoling you with trivial and ineffectual declamation, or assailing you with dry and harsh admonition, I wish to satisfy your judgments, to speak to your understandings, and to persuade by convincing you.

For this purpose I have only to remind you, that application and diligence in your present studies, during the short period of your collegiate life, application and diligence I say, not extreme, but moderate, are conducive to the public good, and to your own individual benefits.

You are about to be employed in the administration of a great and extensive country, in which, it would not be much beyond the truth to say, that the English language is not known. You will have to deal with multitudes who can communicate with you, can receive your commands, or render an account of their performance of them, whose testimonies can be delivered, whose engagements can be contracted, whose affairs, in a word, can be transacted, discussed, and recorded only in some one or other of the languages which are taught at the College of Fort William.

Were it only for your personal ease, security, and comfort, the vernacular and colloquial language of Bengal would be infinitely valuable. But, whoever considers the tediousness and delay, and, what is yet more material, the imperfection and error, which must attend the conduct, frequently, of trivial and ordinary, but often, also, of complicated and important affairs, by the clumsy and unsatisfactory transposition of loose discourse, or intricate discussion, *ore tenus*, from one language to another, must acknowledge the important advantage derived from the ready use of the native languages.

Tediousness

Tediousness and error are not the only, nor the worst, evils resulting from ignorance of the languages of India. It creates almost unavoidable, and almost unlimited dependence, on the native and subordinate officers. How much prejudice to the interests of the company, how much oppressive vexation, extortion, and cruelty, towards our native subjects; and how much loss of character, how much disgrace and ruin to the unfortunate European, whose ignorance has delivered him over to that helpless and dependent thraldom, and wedded his fair fame and his best hopes to the chances of so foul a connexion, making him responsible in his reputation and fortune for the corruption of a servant, whom this one defect has erected into his master, and into the arbiter of his fate; how much public loss and calamity, how much individual shame and ruin have resulted, and are daily resulting, from this cause, a very short acquaintance with the affairs of India will too clearly shew.

To these serious evils, the government of this country has determined to oppose the best remedies it can devise.

Instruction in these languages has been provided, both in England and in Bengal, for the junior members of the service. Every imaginable facility is furnished, as you are now experiencing, to the diligent student; and amongst other incentives, we are this day employed, in one, and not the least, efficacious means to stimulate and quicken study.

It remains for me to announce the last branch of that important system, the object of which is to diffuse a correct and intimate knowledge of the principal languages used in these provinces, throughout the civil establishment of this presidency.

I have reserved, I confess, this point to the conclusion of my discourse, because it presents to you motives somewhat less enlarged than I have hitherto set before you; as more worthy of your generous time of life, and more congenial I am persuaded, with your ingenuous minds and dispositions. Yet it is no reproach, amongst higher considerations, and in aid of a virtuous love of duty, regard for the public good, and relish for fame and public esteem; it is no reproach, I say, to feel, also, those inducements of fortune and advantage, which, in the world are amongst the mature and legitimate rewards of merit.

It is, at the same time, a point of justice, on my part, to promulgate, and give authentic notice of laws which are to affect, eventually, the condition and fortunes of those on whom they are to operate. I am desirous, therefore, of explaining, thus publicly, the principles by which it is my firm resolution to regulate that important part of my administration, which relates to the selection of gentlemen for public trust and employment. I would speak more particularly at present to this point, as it may affect the junior part of the service, and I cannot declare too explicitly my determination to give the preference, in the first steps of their career, to those who shall have established, at the college of Fort William, a reputation for good conduct, diligence, and talents, three qualities which cannot fail of being evinced, and, as it were, measured by their progress in the studies peculiar to this institution; that is to say, by their proficiency in the native languages of India. I shall consider this as a rule for the distribution of favour and promotion

motion, both because the attainment in question is, itself, an essential and indispensable qualification for the public business of India, and because that rule of selection may be considered as reposing on the more general principle just estimated, namely, that the progress of a student in the particular study assigned to him, may be regarded as a safe, general criterion of character, application, and abilities.

The senior part of my audience will, I am sure, add the testimony of their observation and experience to mine, in affirming that, with few exceptions, the distinctions obtained at early periods, in the free competition and impartial judgment of great public seminaries, or other large societies of youth, have continued to attend the individual through life. They who have been remarked as good scholars, and as diligent and clever boys, on the forms of our public schools, have been eminent also on the benches of our judges, in the cathedrals of our prelates, on the floors of our houses of parliament, in the cabinet of our sovereign. Fame, in a word, and distinction, have continued to follow and illustrate their footsteps through every walk of life. You, who are fond of honour, therefore, and aspire to future celebrity, remember that the tunick of your youth, discloses already to the discerning eyes before which you stand, the texture of that robe which is to clothe your manhood. If it is now of coarse materials, if it is already soiled and tattered, we can anticipate a poor and sordid garment for your future wear. If we perceive the gloss and lustre of genius and virtue in the young samples now before us, we discern, through a short interval of time, the purple which is to adorn your manly years.

On this principle, then, rational in itself, and ratified by experience, my choice, and I will venture to assure you, the choice of my successors, will be directed in confiding the great interests of this government to its servants.

Let me now conclude by tendering to you the last, but not the least inviting inducement to exertion; I mean the assurance that your labours will be rewarded with success. You are too little aware of the advantages possessed by that age, out of which you are impatient to emerge, and which might, in truth, be more justly an object of envy and regret to those who have passed beyond it. You will purchase one day the experience which now tells you, through my lips, not only that the enjoyments of your time of life have a livelier relish than those to which your inexperienced fancies aspire, but that your mental powers boast also, in many points, the same superiority even in the graver pursuits of your seniors.

Of this encouraging truth, you have on this day more than one convincing proof, in the hardly credible strides of youthful study. It is, indeed, matter of great encouragement to the young, and of wonder to the old; and makes, not boys, but men admire, to see how much can be achieved by the fresh faculties of youth, its happy facility, its keen edge, not wasted on the *nuces et nugas*, attracting, I allow, at that early period, but applied in some rare instance, with the ardor of youth, and the constancy of age, to the nobler pursuits of men.

On these foundations I rest my hopes of a still advancing progress, during

during the ensuing year, and I leave with great confidence those gratifying expectations to be fulfilled by you.

College of Fort William, February 15, 1808. *Eighth annual examination, holden in January*, 1808.

HINDOOSTANEE.

FIRST CLASS. Date of admission.

1 Barwell, E. R. books value 500 rupee and medal. ... Sept. 1805.
2 Alexander, do. 250 rupees and medal. ... May, 1806.
3 Sisson........Medal..... July, 1806.
4 Macnabb.................. July, 1806.
5 Colvin..................... Aug. 1805.
6 Tytler .... Sept. 1805.
7 Lindsay...... .... Nov. 1806.
8 Sotheby...... .. .. Sept. 1807.

SECOND CLASS.

9 Braddon..... .... April, 1806.
10 Chalmer.................... Aug. 1807.
11 Brown....................... Dec. 1806.
12 Bagge.................... ... May, 1806.
13 Ellice........................ Dec. 1805.
14 Warde .... Aug. 1805.

THIRD CLASS.

15 Thomas .... Sept. 1805.
16 Furneaux..................... Aug. 1807.
17 Sargent .... Nov. 1806.
18 Cuthbert..................... Dec. 1805.
19 Tod...................... .. May, 1806.
20 Inglis......................... Dec. 1805.
21 Lambert...................... July, 1806.

FOURTH CLASS.

22 Morrieson.................... Sept. 1806.
23 Robertson..... .... Dec. 1806.
24 Pond.................. ...... April, 1806.
25 Jennings...................... June, 1806.
26 Forrester .... Aug. 1807.
27 Lyon........................... July, 1807.
28 Chamberlain.................. Aug. 1807.
29 Tul oh......................... Aug. 1807.
30 Davidson .... April, 1807.
31 Monckton..................... July, 1806.

FIFTH CLASS.

32 Smith, C....................... Sept. 1805.
33 Blagrave...................... June, 1806.
34 Wilder .... Nov. 1807.
35 Trotter...... .... Dec. 1807.
36 Harington... .... Oct. 1807.
37 Smelt...... .... Nov. 1807.
38 M'Kenzie......... .... Aug. 1807.
39 Calvert... .... Aug. 1807.
40 Frazer......................... Dec. 1806.
41 Smith, F. C .... Aug. 1807.
42 Barwell, A. C.... .... Aug. 1807.
43 Sparks...... .... Feb. 1807.

ABSENT FROM EXAMINATION.

Tucker,
Mason,
Dick,
Harding, } Sick.
Wakeman, } Sick.
Carey, } Sick.

BENGALEE.

FIRST CLASS.

Date of admission.

1 Tytler, books, value 500 rupees and medal,...... Sept. 1805.

SECOND CLASS.

2 Dick.........Medal......... Sept. 1805.
3 Barwell, Senr.... ... . Sept. 1805.
4 Ellice.......................... Dec. 1805.
5 Monckton..................... July, 1806.
6 Bagge.......................... May, 1806.
7 Mason.......................... Sept. 1805.

THIRD CLASS.

8 Tucker................. .... April, 1806.
9 Pond................ .... April, 1806.

FOURTH CLASS.

10 Smith......................... Sept. 1805.
Harding, Sick.

PERSIAN.

FIRST CLASS.

Date of admission.

1 Lindsay, Books, value 500 rupees and medal ... Nov. 1806.
2 Alexander, do. 250 rupees and medal. ... May, 1806
3 Colvin........Medal........ Aug. 1806.
4 Macnabb...................... July, 1806.
5 Sisson................... ... July, 1806.
6 Tytler...... .... Sept. 1805.

SECOND CLASS.

7 Sotheby...................... Sept. 1807.
8 Mason......... .... Sept. 1805.
9 Braddon....................... April, 1806.
10 Chalmer...................... Aug. 1807.
11 Moore .... May, 1806.
12 Barlow........................ Dec. 1806.
13 Bagge.......................... May, 1806.
14 Tod .... May, 1806.
15 Warde... .... Aug. 1805.

THIRD CLASS.

16 Cuthbert...................... Dec. 1805
17 Dick..... .... Sept. 1805.
18 Furneaux...................... Aug. 1807.
19 Lambert .... July, 1806.
20 Inglis... .... Dec. 1806.
21 Thomas .... Sept. 1805.
22 Robertson... .... Dec. 1805.
23 Morrieson.................... Sept. 1806.

FOURTH CLASS.

24 Brown.......................... Dec. 1806.
25 Forrester...... .. .. Aug. 1807.
26 Jennings...................... June, 1806.
27 M'Leod....................... April, 1807.

Smith,

Smith, C }
Blagrave } Absent.
Sargent, }

ARABIC.

1 Colvin........ .... Medal.
2 Lindsay..... ....
3 Chalmer..........................

MAHRATTA.

1 Sotheby......................... Medal.
2 Tytler...........................

ENGLISH COMPOSITIONS.

Essay of Third Term of 1807.

Subject.—"On the advantages to be derived from a systematic knowledge of the laws and regulations enacted for the civil government of the British possessions in India."

Cuthbert........................ Medal.

PERSIAN WRITING.

Value

1 Blagrave, books 200 rups. & Medal.
2 Chamberlain ....
3 Barlow..................... ......
4 Lindsay...................... .....
5 Morrieson...... ....
6 Inglis..............................
7 Forrester............... ....
8 Sotheby...... ....
9 Colvin............ ....
10 Warde ....
11 Cuthbert...... ....
12 Tulloh........ ....
13 Smith, F C ....

NAGREE WRITING.

1 Barwell, E R. books value 200 rupees and Medal.
2 Forrester.......................... Medal.
3 Pond...............................
4 Warde ....
5 Lindsay .. ..
6 Ellice...............................
7 Inglis...............................
8 Wilder.............................
9 M'Kenzie...... .. ..

BENGALEE WRITING.

1 Ellice books value 200 rupees and Medal.
2 Dick .... Medal.
3 Monckton........................
4 Pond...............................

Students leaving college, classed in the order of relative general proficiency,

1 A F. Tytler.—First in Bengalee, first class in Persian, first class in Hindoostanee; second in Mahratta.
2 A. J. Colvin,—First class in Persian, first class in Hindoostanee, first in Arabic.
3 W. Lindsay,—First in Persian, first class in Hindoostanee; second in Arabic.
4 R. Alexander,—Second in Persian, second in Hindoostanee.
5 T Sisson,—First class in Persian, first class in Hindoostanee.
6 J. M Macnabb,—First class in Persian, first class in Hindoostanee.
7 E R. Barwell,—First in Hindoostanee; second class in Bengalee.
8 E. Bagge,—Second class in Persian, second class in Hindoostanee, second class in Bengalee.
9 W A Chalmer,—Second class in Persian, second class in Hindoostanee; third in Arabic.
10 F. Mason,—Second class in Persian, second class in Bengalee.
11 W. Braddon,—Second class in Persian second class in Hindoostanee.
12 G. Ellis,—Second class in Hindoostannee, second class in Bengalee.
13 G Warde,—Second class in Persian, second class in Hindoostanee.
14 W F. Dick,—Second in Bengalee; third class in Persian,
15 S. T. Cuthbert.—Third class in Persian third class in Hindoostanee.
16 W. Lambert —Third class in Persian, third class in Hindoostanee.
17 T. Inglis,—Third class in Persian, third class in Hindoostanee.
18 W. Thomas,—Third class in Persian, third class in Hindoostanee.

N. B. Mr. Tod was also reported, as qualified by his knowledge of two languages to enter upon the public service, but has been permitted, at his own request, to continue another year in the college.

By order of the council of the college,

W. Hunter, Sec. C. C.

March 8th.—The following accidents happened during the storm on Monday evening last.

One of the company's salt golahs, at Sulkea, was set on fire by lightning; the wind being very strong, the fire quickly communicated to the other; and out of forty seven only one escaped the flames. The salt has not suffered any injury.

Some ships parted their cables and a good deal of damage was done

done among the boats and small vessels.

A chokey boat, with nine people on board, was upset, attempting to cross the river, and seven of them were drowned.

Mr. Alexander Gardner was proceeding up the river, and about 7 o'clock his boat was upset near Barnagore, by which accident he was unfortunately drowned, together with one of the dandees.

CALCUTTA, March 16.—A few days ago, a snake-catcher lost his life, in the cantonments at Barrackpore, in consequence of the bite of a *Cobra de Capella*.—The man had caught the snake by moon-light in the evening preceding the accident, and placed it in an earthren pot for the night. In the morning, he exhibited the snake before a number of Sipahees, without the usual precaution of extracting the poisoning teeth. Having wrapped his arm in a few folds of cloth, and trusting to that and his own dexterity as a sufficient security, proceeded in the usual manner to shew off the snake, which, though it repeatedly darted with its teeth at the cloth, did not penetrate to the skin. At length, on attempting to seize the *Cobra* by the neck, he unluckily missed his aim, when the snake plunged its fangs into his hand, wounding the muscles beween the thumb and forefinger.

The man, though fully sensible of his danger, affected, at the instant of the accident, not to be alarmed, pretending that he had a charm which would effectually prevent the danger. In the course of a few minutes, however, he began to feel the effect of the poison, and endeavoured to make for the hospital, anxiously calling out for *Suffead Duwee*, meaning *Eau-de-Luce*. He had not gone far before he staggered and fell. The Sipahees raised him from the ground, endeavouring to lead him on the way, when, unable to stand, he fell back in their arms. They then carried him to the hospital, but before he could be brought there, he was irrecoverably dead, though forty minutes had not elapsed from the time of the accident.

March 18th.—The storm yesterday was most tremendous. It began before five o'clock, and, after some time, had the appearance of being over, but it soon returned with additional violence, and at about six o'clock increased to a perfect hurricane. The vivid flashes of lightning had a most subline and awful appearance, and the sudden claps of thunder excited our compassion for the sufferers, and intimated to our mind the uncertainty of our own safety.

Independent of the numbers, who have lost their lives in the river, several perished on shore. Two natives, a man and woman, were found dead in the fields adjoining to the fort, and two at Short Bazar. There are uncertain accounts of others. The Chinamen had an opportunity of shewing their humanity to nine Lascars, who were tossing about at the mercy of the elements in the neighbourhood of the Junk. The Chinamen threw a log of wood overboard, connected to their vessel by a rope, which served as a life-bouy, and by that means the unfortunate sufferers were drawn on board though nearly lifeless.

The Clyde drove on shore upon the beach off the Esplanade, where she remained at half tide on her

beam

beam ends, in a most critical situation, with her masts hanging horizontally over the trees of the Respondentia walk, and the whole of her hull dry. The damage she has, as yet, sustained, is not considered to be very material, and it is hoped, she will be got off during the springs.

The extra ship Anne, just arrived, and in the act of hauling to the chain moorings, a little above Clandpaul Ghaut, was drove upon the bank, where she lay upon her beam ends, in a most alarming situation; but with prompt assistance, and much skilful management, she was secured from falling over, and was hauled off at high water, without sustaining any material injury.

The extra ships Sarah Christiana and Diana also grounded; the former off the Esplanade and the latter in Garden Reach, without any serious mischief.

The ships Triton and Troubridge carried away their moorings, and went on shore; but were hauled off without damage.

The hon. company's yacht was also driven on shore and lost her foremast and bowsprit, but was got off the next day, and is now moored off the Esplanade.

The Hastings and Philip Dundas, pilot schooners, broke from their moorings off Bankshall, and drove upon the bank, where they lay nearly upon their beam end, and it is apprehended they cannot be got off till the ensuing springs.

The Danish brig Maria, and one or two grab ships, with several other vessels, are laying on shore above the Old Fort Ghaut.

One singular circumstance may be mentioned, which serves to illustrate the violence of the storm: a six-oared pinnace, belonging to Lady Barlow, which was laying upon the beach, near the top of the Esplanade, was thrown up the bank, carried across the Respondentia walk, and lodged among the bricks of the opposite side. This circumstance we should have thought quite incredible, had not the boat been seen in that situation. It can only be accounted for by supposing that she had been upset by the violence of the waves, and afterwards repeatedly overturned by violent gust of wind.

The beach was strewed with wrecks: and on shore several brick buildings were blown down.

The storm was much less violent at some distance up the river.

March 19th.—On Sunday morning, captain H. Graham, commanding the brig Jane, reached Calcutta, with the accounts of the arrival in the river of that vessel from Bencoolen, from which presidency he came charged with dispatches for the supreme government.

The Jane sailed from Bencoolen on the 21st January last, and has brought intelligence of a most melancholy complexion.

Mrs. Parr and child, and the honourable Mrs. Murray, have arrived by this opportunity. It appears that on the night of the 23d December, 1807, at about eleven o'clock, the resident's house, at Mount Felix, was attacked by a numerous party of Malays, headed by some disaffected chiefs of villages, who succeeded in forcing their way into Mr. Parr's bed-room, where they barbarously murdered him, and severely wounded Mrs. Parr, and two of her women.

It is said that the banditti consisted of three or four hundred men, divided into three parties, one of which attacked the house

in

in the rear; another in front, wounding the centinels, forced their way up the two staircases; those who went up the back staircases leading to the apartment of the hon. Mr. Murray, were driven back by the repeated discharge of a pistol by that gentleman—but those who went up the other staircase, succeeded in forcing Mr. Parr's bed-room door, and accomplishing their horrid design.

The third party attacked the Sepoys guard-room, but were immediately repulsed by the guard, with the greatest alacrity and bravery, who succeeded in beating off the whole of the party in a few minutes. One of their chiefs was shot on the spot, with four or five of the other sanguinary Malays. Several leaders of this murderous gang were wounded, but carried off by their adherents.

The approach of the Malays to the resident's house was conducted with the greatest secrecy and silence, favoured by the darkness of the night.

The mild and benignant character of Mr. Parr is well known; and, in combination with the zeal and ability of his public conduct, will be long the subject of unaffected regret.

The hon. Mr. Murray died of a fever, within a few days from this unfortunate event.

March 21st.—The Marian left Bencoolen the 3d February, when every thing remained quiet, and every prudent measure had been adopted to guard against a recurrence of similar scenes to the horrid tragedy of the 23d December.

Occurrences for April.

April 12.—By private letters from Columbo an account has been received, of our commerce having again suffered severely by the Piedmontese, previous to her falling in with the St. Fiorenzo. The following ships are stated to be captured by her.

Forth, Greenway, bound to Bussorah from Calcutta, insured for 2 lacs of rupees.

The *Assistance*, Chapman, from Bombay to Columbo.

The *Sophia*, Henderson, from ditto to ditto.

The *Fayz Solimany*, Arab, from Calcutta to Bombay.

The *Caudir Cowli Khan*, from Bengal to Bombay.

The *Rozalia Maria*, Portuguese, from Cochin to Columbo.

A rich ship, name not known, from Bengal to Bombay. And a small vessel burnt.

The extent of the loss sustained by these captures, will amount to a large sum. The cruising station which the Piedmontese had occupied, was most favourable for intercepting the trade, bound to the Malabar coast and the gulphs; in fact, scarcely a vessel bound that way, could escape her; and, it appears, whether Arabs or Portuguese, they were all involved in one indiscriminate fate.

April 13.—On Wednesday the 6th instant there was a meeting of the Asiatic society, at which many of the members were present. W. R. Munro, Esq. of Calcutta, and Thomas Raffles of Prince of Wales's Island, Esq. were elected Members. Mr. Gibbons

bons has accepted the office of Librarian.

The following presents and communications have been recently received:

1st. Fac-simile of the Greek part of the inscription in three characters imported from Egypt, presented by the Society of Antiquaries of London.

2d. A manuscript on cloth, in the Batta language, presented by T. Parr, Esq.

3d. A manuscript of the language of Assam, also by T. Parr, Esq. The characters in this MS. are written in perpendicular rows, like those of the Chinese, but read in contrary order, from the bottom upwards.

4th. An essay on the Mahommedan law, by J. H. Harrington, Esq.

5th. An essay on a passage of Bhascara's astronomy, relative to the precession of the equinoxes, by H. T. Colebrooke, Esq.

6th. A paper on the declination of stars, near the zenith of Madras, by captain Warren.

The future meetings are to take place once in two months, instead of once a quarter.

List of presidents of the Asiatic Society.

1784. Sir W. Jones, Kt. one of the Judges of the supreme court.

1794. Sir John Shore, Bart. (now lord Teignmouth.)

1797. Sir R. Chambers, Kt. chief justice.

1798. Sir J. Anstruther, Bart. chief justice.

1806. H. T. Colebrooke, Esq. member of council.

April 15. — On Wednesday morning about two o'clock, a smart shock of an earthquake was distinctly felt by many persons in Calcutta. The hour, however, prevented any observation being made, to the duration or direction of this awful phænomenon. The general sensation was a tremulous motion of the bedsteads, which continued some seconds, and awakened several people.

The following extract of a letter shews that an earthquake was felt in a stronger degree at some distance from Calcutta.

Extract of a letter from Chandernagore.

"On Tuesday morning, about two o'clock, I was awakened by a shock, which the house received, by a subterraneous convulsion of such force, as to occasion the doors, which were open, to close with considerable violence. The bedstead shook, and the curtains, though a perfect calm, appeared as if agitated by a gust of wind: about half an hour afterwards, a rumbling noise was heard at the western side of the house, and in the morning a slight crack in the wall was discovered, and a northern room was found to be rent considerably. The agitation was so great, that had it continued much longer the house would inevitably have fallen. The Tanks in the neighbourhood had been so much agitated as to overflow their banks."

BANKIPORE, April 16.—An unparalleled instance of audacity was evinced a few evenings ago at Digga, near Dinapore, by a numerous gang, of robbers, who attacked a gentleman's house at that place, between eleven and twelve o'clock, with lighted torches, and armed with matchlocks, swords, and other weapons. Having previously secured the chokedars, and other servants, they broke open the doors of the lower

lower apartments, and took away property to the estimated value of 22,000 rupees. The gentleman who dwelt in the house, being then sleeping up stairs, was awakened by the tumult below, but being alone, had no means of repelling the plunderers, than a double-barrelled gun, with which he wounded two or three of the gang, but could not prevent their taking away their booty. Though almost an incessant fire was kept up from the matchlocks of the robbers, no timely assistance from the neighbourhood was afforded to the sufferer. Some few of this daring banditti have been apprehended by the police officers, and are now in confinement; which may lead to further enquiry and ultimately the recovery of the stolen property.

Calcutta, April 20. — As a gentleman was landing a few days ago, at Tankshall Ghaut, he observed several English seamen (belonging to one of the extra ships now lying in the river) bathing and swimming about, and immediately warned them of the danger that they exposed themselves to, from the numerous sharks that generally frequented that place, and strongly recommended their coming on shore, to which, most unfortunately, they paid little or no attention, further than by one of them saying, "Jack, what does that there gemman with the white jacket say?" which he had scarcely pronounced, when, dreadful to relate, one of his companions was seized by an enormous shark, which almost instantaneously dragged him under water, and he was never seen again, though every possible search was made.

So powerful was the monster, that a man who swam to the assistance of the unfortunate sufferer, was, from endeavouring to save him, nearly dragged with him under water.

Occurrences for May.

Calcutta, May 3.—At twelve o'clock on Saturday, official accounts were received of the death of the brave and ever to be lamented captain Hardinge, of the St. Fiorenzo frigate, who fell in the moment of a hard-earned victory. Minute guns were fired from the ramparts of Fort William, corresponding with the years of his age, being 29, and the flag continued half mast high until sun-set.

May 4th.—On Friday morning arrived off town, the Breadalbane cutter, captain Wilson, from Padang, the 29th March, after an expeditious voyage, having only left her Bengal pilot on the 24th February. On the Breadalbane came passenger, captain Learmouth, late of the Aboukir, of this port, with the unwelcome intelligence of the capture of that ship, in Soosoo roads, on the first March, by the Nancy Grab, privateer, formerly belonging to Calcutta, of six twelve-pound carronades, with a crew of 40 Europeans and 30 Caffrees and Lascars. The privateer stood right into Soosoo roads, where the Aboukir was at anchor, fired a broadside into the ship, and immediately after a volley of small arms, which wounded several of the Sepoys. The Lascars of the Aboukir then jumped

jumped overboard, and effected their escape on shore. The Frenchmen instantly cut the ship's cables, and carried her to sea; in effecting which, however, she twice got aground, and was nearly lost. After proceeding as far as Hog Island, the captain of the privateer gave captain Learmonth a boat, in which, with Mr. Roxburgh, a passenger on the Aboukir, he effected a passage to Padang—having, however, suffered severely from the scanty supply of provisions, &c. with which they were furnished.

Some days previous to the capture of the Aboukir, she fell in with the privateer off Achen head, where she had been cruizing upwards of a fortnight, and took the ship Nymph, belonging to Penang. The Aboukir put on a bold appearance, altered her course, and stood towards the privateer; the latter then made off, but having subsequently put into Annalaboo roads, where the Aboukir had been, and there learned that she was a defenceless merchantman, instead of an English cruizer, which she was at first taken for, the privateer then went boldly into Soosoo roads, and captured the Aboukir as above described.

May 6.—Saturday evening, as John Drury, Esq. first lieutenant of his Majesty's ship Modeste, was proceeding from Diamond harbour to the presidency, the boat which he was in, from a sudden gust of wind, suddenly upset, when, melancholy to relate, he perished with several others. The body having been recovered, was brought to town on Sunday forenoon, and buried yesterday morning. A funeral party of about 100 men, from his Majesty's 14th regiment, attended.

By letters from Madras we hear that it was the Canonnier, and not the Semilante, that was chased for five days by the Terpsichore.

May 8.—A most daring outrage took place in the town of Hooghly, on Wednesday night last. A banditti of desperadoes broke into the house of a shroff, living in that place, when, after spearing him through the body to the ground, they decamped, with all the money and valuables they could find in the house. In their retreat, however, they were opposed by a party of the town Chokedars, when a severe conflict ensued; but the robbers, being too many for them, effected their escape, after losing three of the gang in the encounter, but whose bodies they carried off, as well as the booty. One of the Chokedars unfortunately lost his life also.

Several robberies have been lately committed in the same neighbourhood, and, (as is generally suspected) by the same gang.

Chitpore road has for several days, during the latter end of last week, exhibited a crowd of poor people, scarcely ever equalled, receiving charity from the heirs of the late Gocul Mittre, an opulent and most respectable native, who died about a month ago.

May 9.—The heat has been so oppressive during the last ten days, that many poor Europeans and natives have fallen victims to it: of the latter, several have dropped down, and instantly expired, without the possibility of any human aid being serviceable to them.

The following are the quantities of salt, which the company have sold during the last six years.

1802.	—— 35,00,000	Maunds.
1803.	—— 39,00,000	
1804.	—— 40,00,000	
1805.	—— 41,00,000	
1806.	—— 42,00,000	
1807.	—— 43,00,000	

The

The total quantity sold, and to be sold this year, is 44,00,000 maunds.

May 10.—The Canonnier imported from Acapulca to Manilla 4,000,000 of dollars, on account of the Spanish government. The seizure of this immense treasure was, no doubt, the object of the Caroline and Fox, but the Canonnier eluded their vigilance, and got safe into port.

The Ladrones have become very troublesome to the coasting trade of China.

Two Bombay-cruizers have proceeded to survey the Paracels, and it is hoped that the situation of these dangerous shoals will be so accurately laid down, as will ensure greater safety to the ships navigating the China seas.

May 17.—Lieutenant Dawson, who so bravely finished what the ever-to-be-lamented captain Hardinge began, has been appointed to the command of the St. Fiorenzo, and captain Foote to the Piedmontese.

On Thursday morning the company's ship Walpole, lying in Saugur roads, was struck by lightning, which shivered her main-top-gallant mast to pieces, but did no further damage.—No person on board received any hurt.

Among the curiosities to be seen in the neighbourhood of Calcutta, are a London wherry, and a model of building, in which the Parsees expose their dead. The former is at one of the dock yards, and the latter is kept in the house belonging to the Asiatic society at Chowringhee.

Of the various buildings now going on at Calcutta and its vicinity, Messrs. Smith and Torry's new dock at Howrah, promises most advantage to the interest of the port. It is constructed on a plan sufficiently spacious to admit the largest ships that sail up the Hooghly.

May 23.—A most daring robbery was committed a few days ago, at Mr. Jones's foundery at Howrah, when, during the dead of the night, the workmen who were employed there in the day time, broke into the premises, and were in the act of carrying away a considerable quantity of brass work, when they were discovered by the dandees of a boat passing and hailing them, which so frightened the party, that in their hurry to get off with their booty, a brass screw of several hundred weight fell on, and almost crushed the feet of one of them to pieces, the pain of which detained him behind, and through his information, and the vigilance of the police, the whole party have been secured and lodged in the twenty-four Pergunnahs' gaol.

Extract of a letter, written on board the Walpole Indiaman, the 22d May.

"I dare say you will have heard, 'ere this reaches you, of the accident that befel the Walpole on the morning of the 19th, when, during the thunder storm, which was excessively violent, the lightning, very vivid and forked, struck our main-top-gallant-mast, and shivered the top-gallant-mast, and the top-mast to pieces, and taking a direction downwards, covered the whole ship with a vivid fluid, and appeared as if the whole fabric was in one general blaze. This happened about two A. M. and when the storm abated, it was discovered that capt. Sandiland's cutter, which was then on the poop, was also in a thousand pieces, and the jolly boat, which was then a-midships, also

also stove; but providentially no lives were lost, nor a single creature hurt; and happily our mainmast not injured—therefore the extent of our damage is confined to the masts and boats as described."

Occurrences for JUNE, 1808.

June 4.—This day being the anniversary of the birth of our most gracious and beloved sovereign, who then completed his 70th year, the same was observed with the usual ceremonies and demonstrations of joy, on the recurrence of this auspicious day. At sun rise the colours were displayed at Fort William, and a royal salute was fired from the batteries: all the ships in the harbour were decorated with their colours, and in the evening there was a grand dinner at the government-house.

The northern stairs of the government-house were illuminated in the evening. Over the eastern and western gates were transparencies of the imperial crown with G. R. and 1808. The band played "God save the King," and "Rule Britannia," till a late hour at night.

June 5.—As captain Duncan, and lieutenant J. C. Grant, of the 2d Native infantry, stationed at Barrackpore, were proceeding from Calcutta to that cantonment, on Thursday evening, they were overtaken by a sudden gust of wind, which upset their launchway, and dashed them into the river, when after struggling on the wreck, for upwards of thirty minutes, they were most providentially picked up in safety by a fishing boat.

A meeting of the Asiatic society was held at their house in Chowringhee, on Wednesday last, at which much business was transacted, and the papers communicated will probably appear in the 10th volume of the researches, which is now in the press, and will speedily be published. Among the papers, which it contains, is a description and drawing of the rare plant, which produces the *columbo* root, so much used in medicine. It has never, we believe, been described before.

June 14.—The first session of Oyer and Terminer, and general gaol delivery, commenced on Friday, before the honourable the judges of the supreme court.

The court having assembled, and being opened in the usual form, the following gentlemen were sworn of the grand jury.

Charles Buller, Esq. Foreman,

J. Walker,	P. Stewart,
J. M'Taggart,	R. Downie,
F. Fauquier,	W. Dorin,
J. Ewart,	H. Maudy,
H. Wood,	W. Wilson,
W. Kinlock,	J. Alexander,
G. Tyler,	G. Ravenscroft.
R. Home,	J. Littledale,
P. Maitland,	H. Churchill,
W. Hall,	R. C. Plowden,
W. Money,	J. Torry.
C. W. Gardener,	Esquires.

The charge was then delivered to the grand jury, by the honourable Sir H. Russell, knight, chief justice.

His lordship observed, that the calendar contained but a very limited number of offences, and only two of a serious nature; and exhibited nothing new for him to suggest any advice to the gentlemen of the grand jury, who were so well acquainted with the important

tant duties they were called upon to perform.

Sir Henry passed an eloquent eulogium on the wisdom of our laws, the promptitude of their execution, and the admirable system of police, established for some time past in the metropolis—it was a most satisfactory reflection, that in a population of a million of people, which Calcutta is estimated to contain, so small a number of crimes, as now upon the calendar, should have occurred within the last six months, considering that the bar formerly used to be crowded with criminals. This very salutary change in the manners of the inhabitants in general, must in a great measure be ascribed, to the vigilance of the magistracy; in the selection of whom the government had evinced the highest judgment.

His lordship also passed a very handsome and well-merited compliment, on the able assistance derived to the magistracy by the appointment of one of the advocates of the supreme court (Mr. Fergusson) to their body. The grand jury then retired to examine the several bills delivered to them. They soon afterwards returned, and brought in five bills—two were rejected.

Jaun Mahomud, Tannahdar, and Jekeah, Pike, of the Tannah at Saum Bazar, in Calcutta, were put to the bar, charged on an indictment traversed last session, for false imprisonment and extortion, committed on the 11th of May, 1807, by apprehending two persons, named Ramcburn, and Harrykissen, cloth-sellers, in that part of the town, putting them in the stocks, and afterwards releasing them for the sum of thirty-six rupees, paid by one of their relations.

The advocate-general opened the case on the part of the prosecution,—when the facts were fully substantiated by several witnesses.

Mr. Lewin conducted the defence.

Several peons attached to the Tannah, were called for the prisoners—but their testimonies were totally at variance with each other.

The trial lasted till 6 o'clock in the evening, when the jury, without retiring, found both the prisonners—guilty.

The court then adjourned to a future day—when Mr. J. Nichol, chief officer of the Bengal Anna, took his trial for an assault on Juan Marco, a seacunny belonging to that ship, on the 27th of March, 1807, at Diamond harbour. It was stated in evidence, that this seacunny, at the head of several others, went off in a very disorderly manner, and desired permission to go on shore, which was refused; the chief officer telling them at the same time, that the captain had left particular orders that none of the crew should be allowed to go on shore, without his express permission. They were not satisfied with this explanation, but persisted that they would go. On Marco being desired by Mr. Nichol to quit the quarter deck, he, in a mutinous manner, refused, when a havildar and sepoy were ordered to take him forward, and secure him in irons. Marco was, however, rescued by the other seacunnies; all of them immediately went below, packed up their things, and got out at one of the ports forward, into the ship's pinnace. This was reported by the Syrang to Mr. Nichol, who instantly came upon deck; the boat was just then being pushed off from the ship; he desired them to desist

desist from going, to which they paid no attention, but proceeded towards the shore—a pistol was fired over the boat to intimidate the deserters; some of whom turning their exterior to the officer, desired him to shoot thereat—upon this several muskets were fired by the chief officer, and by the second officer, and a sepoy, by the direction of the former,—a ball from the musket fired by Mr. Nichol, unfortunately wounded Marco in the back. The jury pronounced the prisoner—guilty.

On the same day, Rammohun Mittre, a Bengalese, was tried and convicted of perjury—this man had made a false deposition in open court, which had nearly substantiated a forged demand for the sum of 17,000 rupees.

Adam Young was next tried for an assault, committed on the 9th of May last, at Colinga, in Calcutta, by wounding Rammohun Soucar, who thereby lost one of his eyes, by wantonly firing a fowling piece, loaded with bird-shot, from the verandah of his house, amongst a cluster of huts. Verdict guilty.

The concluding trial excited much interest. Messrs. Daniel Campbell, William Hardy, and John Stephenson, were put to the bar, and tried for an assault upon Buttore Sing, Naib, Jemahdar, on the Entally road, on the 11th of April last. The evidence adduced in support of the defence most completely refuted the charge, and clearly evinced that the gentlemen indicted were the party aggrieved, as they had been treated by the Naib, and his pikes, in the most degrading and tyrannical manner, without any provocation whatever, on the part of the persons indicted. It appeared that they had merely gone to the Tannah, on hearing the drum beat, to see what was the occasion, when they were indiscriminately seized, pinioned and sent to the town guard, with several shipping people, who also stood indicted, but did not appear: these probably might have molested the Jemahdar, or some of his people.

The advocate-general at the close of the trial noticed, that the case appeared to exhibit great atrocity on the part of the Tannah people, and was such as would impel him to represent the same to government; that the whole of the affair should be thoroughly sifted, and be brought before the court, in an indictment of a different shape.

The following prisoners were brought up on a subsequent day, and received the judgment of the court.

Jaun Mahomud, Tannahdar, convicted of extortion, was sentenced to pay a fine of 360 rupees, to be imprisoned for six months, and to be deprived of his office.

Jekeah, Pike, concerned with the Tannahdar, fined one rupee, and to be imprisoned for one month.

Ramlochund Chund, for forgery, to be imprisoned for two years, and to stand once in the pillory, for one hour, within that period.

Mr. J. Nichol, for an assault, to pay a fine of one hundred rupees, and to be imprisoned for one month.

Rammohun Mittre, for perjury, to be imprisoned for three calendar months, to stand once in the pillory, at the usual time and place, and afterwards to be transported for seven years.

Adam Young, for an assault, to pay a fine of one rupee, and to be imprisoned for six months.

June

June 21.—The Euphrates, captain Mearing, is arrived from Bencoolen—she left that place the 22d April, when tranquillity had been perfectly restored on the west coast.

Letters from Banda, dated the 5th instant, state, that the rains had not then set in, but that the weather had been uncommonly hot, and that the day before two smart shocks of an earthquake had been felt, and which had been also experienced throughout the whole extent of the country.

At Sicrora, in his highness the vizier's dominions, at about 20 minutes before three o'clock, P. M. on the 4th instant, they were alarmed by two smart shocks of an earthquake. In one gentleman's bungalow, it shook a large paud in the verandah, so considerably, as to throw out a good deal of water with which it was filled, to within about an inch of the edge, for the purpose of watering the Tatties.

The effects of the same earthquake were felt at Dinagepore—passing from the S. W. to the eastward.

Occurrences for July.

July 5.—The French privateer L'Union, has been captured off Ceylon by his Majesty's ship Culloden. She had just made the land after a passage from Mauritius, of 27 days, and had fortunately made no captures. Her force consisted of 8 guns, with a crew of 60 Europeans, and 20 Lascars: as usual, she was abundantly supplied with officers as prize-masters of the vessels she hoped to capture.

The Semillante had returned to the island after her action with the Terpsichore, not in consequence of any material injury sustained in the action, but on account of an explosion which took place in a room adjoining the magazine; this naturally created so great an alarm, that to prevent the blowing up of the ship, the magazine was immediately floated, and in that situation, with no more serviceable powder on board, she of course made every effort, and succeeded in getting off.—The Semillante had 5 men killed, and Captain Motard, and six men wounded. Captain M.it is supposed will lose his arm.

July 12.—On Thursday last a cause of considerable novelty and importance was argued, and judgment pronounced in the Supreme Court.

The libel set forth, that the Danish ship Elizabeth, Captain Lund, being in the port of Calcutta in October last, and then standing in need of sundry repairs and stores, was by the master placed in the hands of Gilmore and Co. of Calcutta, for the purpose of being repaired and receiving supplies of stores, &c. The ship was accordingly hauled into the dock of Gilmore and Co. where having received such repairs as could not be conveniently made while afloat, she came out of dock in a few days, continuing under charge of Gilmore and Co. till the 8th of December, when the repairs and supplies of stores being complete, they delivered over possession of the ship to the commander, Captain Lund, without receiving

receiving payment of their bill, on account of repairs, &c. amounting to between 15 and 16,000 rupees.

The ship continued in the port of Calcutta in possession of her Danish captain and owners, for several weeks, and was offered for sale by the latter, Danish subjects, resident at Serampore. No event, connected with this case, occurred till the 28th of January last, when rumours of a war between Great Britain and Denmark being current in Calcutta, Gilmore and Co. whose claim was still unpaid, sent a person on board to take possession of the Elizabeth on their behalf, and to hold the vessel, as answerable for the amount of their bill. Possession was accordingly taken of the ship, on their part, and retained till the 1st of February, when she was boarded by an officer and party from his Majesty's frigate Modeste, captain the honourable G. Elliott, and taken as prize to his Majesty's ship; the person on board on behalf of Gilmore and Co. representing that he held possession of the ship on their behalf: but as their right of possession was not admitted, he was sent on shore in the course of a few days, and the prize being now about to be sold for the benefit of the captors, the promovents brought the suit, for the recovery of the amount of their bill, for repairs and supplies, against the captor.

Messrs. Lewin and Fergusson for the promovents, contended, that their claim was founded on the most obvious and fairest principles of natural justice, and that it was laid down and clearly admitted by the maritime law, that the contract of a master of a ship in any foreign port, for monies, repairs, or stores, for the necessary service of his ship, did by such contract imply an hypothecation of his ship: consequently the vessel in this case, a Danish vessel, in a British port, was not only hypothecated to the promovents, but that having been in the actual possession of the ship, they held a fair and indisputable lien in the property. Much ingenious argument and some cases were adduced to establish the validity of lien; and the objection that the council for the defendant were expected to set up, namely, that the promovents here, by parting with their possession, parted with their lien, was anticipated, and a case, from Cooke's bankrupt reports, cited, which shewed that a lien held by a broker on a policy of insurance, and with which he had voluntarily parted for some time, had been decided to have revested, on his acquiring a repossession of the policy. It was argued in like manner, that the lien of the promovents in his ship, had revived on their taking repossession, on the 28th of February, as stated in the libel.

The advocate-general and Mr. Strettell for the defendant, rested the defence on four grounds: viz.

1.—That the master of the ship in this case had no authority to hypothecate the ship.

2.—Admitting that the master had such authority he had not exercised it.

3.—That had the ship been regularly hypothecated to the promovents, their hypothique, or even a lien, was superceded by capture, de jure belli.

4.—That as this was a prize case, it was not within the jurisdiction of the court.

The advocate-general, with respect to the first ground, admitted the

the general doctrine that the master of a ship in a foreign port, by a contract for money, repairs, or stores, absolutely necessary for the safety of the ship, might imply the hypothecation of the ship, but he argued that in the relation of the two ports of Calcutta and Serampore, at which latter port the owners of his ship resided, Calcutta could not be considered as a foreign port, which implied a fort beyond seas—whereas Calcutta and Serampore were in the bosom of the same country, in the same river, and within a few miles of each other; and as the owners of the Elizabeth were admitted to be resident at Serampore, where they might be consulted and their answer received in the course of a few hours, their ship, while lying off Calcutta, could not be held or considered as in a foreign port. It was in a foreign port only that the contract of the master implied an hypothecation of his ship, and the reason was clear, because beyond seas and in a foreign port, it might be supposed, that being unable to have recourse to his owners, he had no other security but his ship to offer. At the same time, the hypothecation only applied to such repairs or supplies as were wanted *ex necessitate* and indispensable for the salvation of the ship and to enable her to proceed on her voyage. No such necessity existed here, the ship was bound on no voyage and the master had the constant opportunity of free and immediate recourse to his owners.

On the 2d point it was observed, that there was no document in proof of the ship having been hypothecated by the master. Nay, it was not even alleged that there was any verbal agreement to that effect, much less any written instrument of the act of hypothecation.

On the 3d point, a recent case was cited from the 5th volume of Robinson's reports of cases decided in the high court of Admiralty, in which a British subject, immediately before the commencement of the present war, had advanced on account of a French ship in an English port, upon the usual security of a bond on the ship. War breaking out between Great Britain and France, the French ship in question, was captured, brought into an English port, and condemned, to the exclusion of benefit to the holder of the bottomry bond which was held to be superceded by the capture de jure belli.

On the fourth ground it was observed, that if this were a case of prize, it was here *alieno foro*, since the court, however much the fact may be regretted, has no prize jurisdiction, and as this jurisdiction had not been vested in the court, their lordships could not assume it. The case then before them required particular investigation. It might appear that there had been a collusion between the parties; it was not said there had been such collusion, it was sufficient for the argument, that it might have existed; and before the claim, now set up by the promovents, could be allowed, that question ought to be decided. The subject of a foreign state, on hearing the account of a war between Great Britain and the state, to which he belonged, and having, at the same time, a ship in a British port, which he knew must be seized at all events, it would never be allowed that he should employ his property in that ship, while *in ipsis faucibus*, in the very jaws of the enemy, to pay

pay his debts with that ship, and thus to defraud the sovereign, or his representatives. These points it would be proper to investigate, before such a claim as that now set up were allowed. They were, however, questions that could only be investigated in a prize court. And, therefore, this was a case not triable by their lordships—it was a case cognizable in the high court of Admiralty of England.

After much learned and able arguments on both sides the court gave judgment, dimissing the bill, each party to pay their own costs.

Sir Henry Russel, chief justice, in delivering his opinion, expressed his regret that the promovents, in parting with the possession of the ship, had lost their proper remedy against the property. Lien and possession went together, and it would open the door to fraud and abuse, were it to be held otherwise. Had the promovents continued to retain their possession, they would have held that right and property in the ship, that *jus in re*, of which no capture could deprive them; but by parting with the possession, and delivering over the ship, to her owners and masters, they voluntarily accepted of their security, which was made more manifest by the fact set forth in the libel, that the ship, after being restored to her owners, was by them offered for sale avowedly, and with the knowledge of the promovents; and had a sale been effected, it is not to be supposed they would have looked to the ship, or the purchaser, for the payment of the bill, but to the owners or the masters.

As to the point of jurisdiction, Sir Henry Russel observed, that, as there was no doubt that this was a prize question, it was consequently, not within the jurisdiction of this court. And, although the extension of such a jurisdiction to Bengal, would rather add to his own inconvenience and solicitude, he could not but regret the want of it from the inconvenience that arose to the public.

Sir John Royds followed in the expression of pretty nearly the same opinions, and adduced some additional arguments in their illustration and support.

Sir William Burroughs did not subscribe to the opinion that a lien, on a foreign ship ceased with the possession. Ships were considered as different from other species of moveable property; and that distinction was countenanced both by commercial and national policy; and he held that the lien upon a foreign ship, in a foreign port, and arising on account of necessary repairs and stores, continued while the ship remained in that port, or until the inception of her voyage. As to the question of this being a case of prize, Sir William expressed some doubts, whether the court had concurrent jurisdiction with the court prize on this collateral point. But as the court had not direct jurisdiction on the question, prize or no prize, and the ship might well be considered as in the custody of the law by the capture, he thought it at least questionable, whether such a concurrent jurisdiction could be exercised here, and, therefore, thought it better to leave the party to claim, as he certainly might, before the court of prize. He, therefore, reluctantly concurred in the dismissal of the cause.

The court, though bound by law to dismiss the cause, acknowledged the hardship of the case upon the promovents, who, by an act of indulgence,

dulgence, lost the remedy, which they originally held against the ship.

The preceding case, and several others that depended on its issue, as well as the amount of the condemned captured property now in the river Hooghly, clearly prove the grievous inconvenience to the public, from the want of a prize jurisdiction* in the supreme court of judicature, in the metropolis of India.

July 19. By a letter from Tranquebar of the 17th ultimo, it appears, that the Danish vessel, Ioe Venner, was carried out of Tappanooly roads on the 7th of April last, by her own commander, and afterwards recaptured and brought back by her crew. She was ultimately seized on her return, by his Majesty's sloop of war, May-flower, as Danish property. The master was sent on shore in irons, but contrived, notwithstanding, to effect his escape in a Malay prow.

July 20. During the last spring tides, the Bore in the river Hooghly has been more violent than for several years past. On Sunday se'nnight, a Patillah boat, passing very imprudently by the sand bank at Howrah, where its force is greatest, was overtaken by it, and filled with water in about three minutes. Three of the Dandees, together with three servants, and a very fine horse, belonging to a gentleman, on his way to the Upper Provinces of Bengal were unfortunately lost.

A letter from Muttra, of the 7th current, states that the rajah of Jaypore had been attacked by a Mahratta force, under Bapoogee Scindia, and totally defeated, with the loss of 3,500 men, and 40 pieces of cannon.

July 21. In consequence of the interruption of the accustomed channels of trade, Bengal Indigo has actually found its way *over-land*, from the Euphrates to Constantinople. This circumstance has occasioned a very great demand for that article in the Bussorah market. The finer sorts are particularly sought after, and purchased at almost any price.

The general appearance of the rice harvest is by no means promising. The irregularity of the present season has been particularly felt in the Burdwan district. The river and tanks are at this moment lower than has ever been known at the same time of the year.

Occurrences for August.

August 1.—The prospect of the produce of the Indigo crops of the present season, in the Bengal provinces, is generally unpromising. In Tirhoot and Purneah, the plant has suffered unaccountably in growth, and the quantity of its produce is greatly diminished. Throughout the lower parts of Bengal, the crop has sustained material injury by inundation, arising from the extraordinary height of the spring tides in the Hooghly, and in all the ramifications of the Ganges.

August 3.—The French cartel Resource, commanded by Monsieur J. T. Desjardins, has quitted the honourable

* This inconvenience is now removed, the supreme court, or the chief justice of it, for the time being, being vested with prize jurisdiction.

honourable company's moorings at Kiddepore, and proceeded down the river, on her return to the Isle of France.

Three government vessels, full of French subjects from Chandernagore, passed Calcutta on Thursday afternoon, to be conveyed to the cartel.

The following is the argument of Sir William Burroughs, in delivering the judgment of the court, in the important cause of *Mullick* and *Mullick*.

Sir W. Burroughs.---The testator, Nemaye Churn Mullick, died on the 24th of October, 1807, possessed of a large estate, in money, lands, chattels, &c. &c. little short of a crore of rupees, or much exceeding half a million sterling. A great proportion of that property had been left to him by his father, and a much larger proportion was acquired. The testator left at his decease a widow and two married daughters, and eight sons. About ten months before his death, on the 5th of February, 1807, he made a will; and three codicils or testamentary papers, on the same day; the will having been read over before his decease, in the presence of all his sons. The testator died on Saturday, the 24th of October last; and the Monday following, a bill was filed by the complainants, the six younger, against the two elder sons, the defendants, in which the complainants denied the right of the testator to make an unequal division of his ancestorial estate. An amended bill was afterwards filed by the complainants, in which, after having inspected the will, they alleged that they had been deceived by the defendants, that they had been made to believe that their father had, in his will, expressed his intention to dispose of his whole property, ancestorial and acquired, and had given them a small part, and the residue to the defendants. In this amended bill they set up a claim to a beneficial interest in the residue of the estate, alleging that it was devised as a fund for the benefit of all the sons, subject to certain charges. Issue being joined, the cause was brought to a hearing.

As to the arguments on the first question of the Hindoo law, whether the testator had a right to make an unequal division of his ancestorial and acquired property, there could be no doubt of such a right. The Hindoo authorities, in various cases, have supported and clearly established that right. However cruel or unjust it might appear to disinherit one son, or to give a decided preference by an unequal division of property, yet if the intention of the testator to that effect be proved, it must be confirmed,---the same doctrine is sanctioned by the English law. In most cases the father is best competent to decide as to the comparative merits of the members of his family; and he, therefore, could not concur in the opinion, that the exercise of such a right was either unnatural or inofficious. Two modern cases of note decided in this country, the one by the supreme court, and the other by the Sudder Dewannee Adawlut, recognized the right of a testator to make an unequal division of his property. The first of these cases was that of Ruffuck Laul Dutt and Muddon Mohun Dutt, which was decided while Sir Robert Chambers and Sir William Jones were upon that bench, whose great attainments in Oriental literature enabled them to detect any inaccuracy in the authorities brought before them. The other case decided

cided by the Sudder Dewannee Adawlut, was that of the rajah of Nuddeah, in 1792, whose will gave the whole of his landed property to the eldest son, to the exclusion of the three youngest. After referring to all the pundits of Calcutta, Moorshedabad, Dacca, &c. &c. the will was affirmed. Mr. Colebrooke, whose learning and opinion carried great wei_ht, had expressed some doubts; but in the digest itself, page 241, the ground of these doubts is removed by the position there laid down. It was clear then, that under various concurring Hindoo authorities, the testator had a right to make an unequal division of all his property, ancestorial and acquired, moveable, immoveable, and of every description. In this the bench is unanimous.

Having disposed of the question, as to the testator's right to make an unequal partition of his property, he came to the second point, as to the construction and operation of the will itself.---The testator having died on Saturday, on the Monday following the complainants filed their original bill, in which they prayed that the defendants should account for the ancestorial property, with interest, from the time of the decease of their grandfather, without claiming an interest in the residuary estate. Doubts were afterwards raised by their counsel, on which their amended bill was formed. The pleadings agree that the will was known to the younger sons in the father's life time, and their original bill shews, that their first impression was, that they were excluded from all right or interest in the residuary property. He was not sure that the court ought to lose sight of that fact, as it clearly shewed their own belief that they were excluded from any share in the residue of the property. It is true, that in the amended bill, they state a fraud, alleging that the defendants had deceived them in their representations respecting the will, which, however, is positively denied by the defendants, in their answer, and is no where attempted to be proved.

The next point is, whether the whole of the residue of this estate was intended by the testator, as a fund for the joint benefit of the eight sons? It was necessary, in considering that question, to look at the will itself, which they could only do through the medium of a translation: and the translation in this case, did not appear to be so minutely exact as could have been desired. The will is made in the name of the two eldest sons, and, as it now stands, is addressed to them in these words---"To Srijert Ramgopol Mullick, my eldest son, and Srijert Ramrurton Mullick, my middle son, greeting with benedictions; I, Sri Nimayechurn Mullick, make this will---I make this will in the names of you two." After this address, and specifying the different legacies, the will proceeds and says---" besides this, whatever estate shall remain, consisting of houses, ground, talooks, cash, &c. &c. will remain under the charge of you two---you two are managers thereof."

By this clause, the whole of the residuary estate is put under the management of the two eldest sons. They are, to all intents and purposes, the executors of the will, and with much larger powers than are possessed by executors in general. There could not be a doubt of the intention of the testator by this will, to appoint his two eldest sons his executors. The term *curmacurtah*

curtah in the original, means, in its most usual acceptation, manager of business. Foster's Dictionary translates it manager. He thought that executor would have been a better translation. It is also translated attorney, and the attorney of a dead man, must mean the executor. *Curmacurtah* implies much more than a manager, and frequently means right of property.

From considering the address to the eldest sons, and the will being made in their name only, and from the entire construction of all the clauses, he was of opinion that the whole residue of the estate is put into the hands of the two eldest sons, that the estate is clearly vested in them; and that, if probate were granted of Hindoo wills, no doubt it would be granted on this will, to the two elder sons. *Pudering and another, versus Towers.---Ambler*, 363.

The counsel for the complainants, as he understood them, made the following points, under many subdivisions.

1. That the testator intended the residue should be a trust-fund, for the benefit of all the eight sons, subject to certain charges.

2. That if the residue was not intended for the benefit of the whole of the sons, that it became a fund for religious purposes only.

3. That in such case it was so vague and uncertain in its object, that it fails, and must result to the heirs at law.

In deciding on the intention of the testator, he did not rely on the particular meaning of *curmacurtah*, which is equivocal, but upon the great grounds and facts in the will, to which the rules of construction apply. The rules of construction form a most important part of law; and were the court not to decide by these rules it would be better, instead of calling upon judges of the law, to leave the decision of the question to juries. If a judge had authority to take up a will as a common letter, and to dispense in its interpretation with the established rules of construction, it would be setting aside all those decisions to which a court of law was bound to adhere. The great rule of construction, and to which all the others are auxiliary, is to give due effect to the intention of the testator, where that is consistent with law, by which all their decisions are guided. The great governing principle is to give effect to the general meaning and intent of the testator; and the meaning, though contrary to the words, is to be the guide. This doctrine is supported on the authority of lord Hardwicke; it is confirmed in the decision on Thelluson's will. Lord Mansfield has recognized the same established rule of construction, and the master of the rolls, more recently, declares, that wherever the court can see a general intention consistent with law, it is bound to give it effect. The general intention, which is in all cases to be considered as the governing principle, is to be maintained.

The words in a deed are not the principal or most essential thing, but the intention of the deed, and the words are to be so construed as shall best answer that intention: and through all its clauses the court is bound to construe according to the intention of the testator. It must always be remembered, that when the residue is given, the testator does not intend to die intestate, with respect to the residue; and that, although a construction shall be made to support it, it never shall be made to defeat the inten-

tion

tion of the testator---*ut res magis valeat quam pereat*---so that, instead of fastening on any particular word in this will, to defeat the general intention of the testator, they were bound to construe them, so as to effectuate that intent as far as they could collect it ;---they were then to turn to their first duty, that of collecting the intention. On reading this will, the intention of the testator to dispose of all his property, is evident, in the clause as to the residue of his estate, where, after fulfilling certain duties, the residue is to remain in the hands of the two elder sons. With this disposition in his mind the testator sits down to make his will. He begins with addressing his two eldest sons; and this address is similar to all Hindoo instruments conveying property. He declares that the will is made in the names of these two sons; and that he meant to give some effect to this declaration, and to appoint them sole executors of his will, it is impossible to deny. His next object is to give to each of his sons three lacs of rupees, or about 40,000*l.* sterling, deducting therefrom, the amount of such sums as each had previously received from his estate, during the testator's life. The direction to account for debts due to the estate, it is admitted, was necessary, whatever might be his intention as to the residue; and this clause of the will he concludes with saying, " no one will have any concern with another." This is a very material sentence, and completely puts an end to all joint concern, or interference on the part of the six younger sons. He then goes on to explain his intentions to the defendants, using in all his directions respecting the residuary estate, the future tense, which he here changes to the present, and says, " you two are the managers thereof;" then he adds, " you two will discharge my debts," &c. &c. committing the whole power and control to the defendants. As to the reference which he directs to be made to the six younger sons, he thought it clear that it was done, in order to prevent misunderstanding, and to obtain that conformity in their religious ceremonies, so requisite to the decorum observed among Hindoo families; and the notice to them was, no doubt, intended that the eight sons might perform the pious family duties, contemplated by the will, collectively. The direction relates only to such rites and ceremonies as were to the honour of the family, and raises no inference either of right of property or of control; they are merely to have the right to agree or to refuse, and if they object, the two elder sons may, if they please, disregard their objections, all of which is evidently incompatible with any right of property. It is clear that it cannot extend to the giving them any interest or control, when the express words of their exclusion is looked to. The codicils are also addressed to the two older sons, and the entire control of the property therein-mentioned, likewise given to them.

They are to pay debts, to perform his and his wife's obsequies, and to perform certain pious duties. The directions given on these points, are expressed in very general terms, there is no direction as to the expense, it is general in all respects. It is clear, therefore, that his intent was to give to the two elder sons the discretionary power in all respects, over the residue of his estate. He best knew the temper and disposition of his own offspring,

spring, and to those who stood highest in his confidence and affection he left all his residuary property, subject to certain charges, but exempt from all control on the part of the six younger sons. All is left to the discretion of the two elder sons, giving them the most exclusive power and authority. It is impossible to suppose, if he did not intend to do so, that he who had gone into such minute details, respecting the property left to his daughters, would not have been as particular as to this great residue, as he was with respect to the small bequests in the codicils.

Had he not implicitly relied on the duty and affection of these two sons, he would not have left them a discretional power respecting objects that were considered so interesting in this world, and to the happiness of his soul in another. He had no intention to make the defendants such machines as were called trustees; he intended them possession and right of property, and the words used in the will, "will remain under your charge and management," were not inconsistent with that general intention. The word translated "charge" is highly equivocal, and this word affords a principal ground on which the complainants rest their claim. The word in the original is *zimmeer*, and, according to Forster, often means possession, (*preface to Forster's Dictionary*.)—The word occurs once in the will, and repeatedly in the codicils. Had the translator intended to have left the defendants merely as the trustees of the residuary estate, he could easily have done so, and in his codicils he has, in fact, appointed them trustees of the bequests to his daughters.

Executors are not to be considered as trustees. Where, in the English law, a man takes an estate subject to a charge, he is not a trustee in the sense in which that word is received in a court of equity. If a man were to appoint A. or B. his executor, and add the words I leave my property under your charge, it would not convert him into a trustee; so the word *zimmeer*, or charge, used in this will, cannot convert the two older sons into trustees, contrary to the context of the will and intent of the testator. The words translated "will remain under your charge," might be used with the intent of giving all the right of ownership, with many duties subjected to it. He thought they would violate all the rules of construction, were they to determine that this Persian word, for it was a Bengalo-Persian word, is to be allowed to convert the defendants into the character of trustees. They ought not to fasten on the precise word, but to be guided by the context and general intention of the whole.

There are no words in this will, from which to collect that a trust was intended; and there is no express trust. Three requisites are indispensable to raise a trust, and the want of either of these requisites is fatal to it:—1. The words by which the trust is raised, must be clear:—2. The property must be defined, and 3, the object of the trust must be clear. *Hartland and Trigg*.---1. Bro. Cas. Chary. 144; and many other cases. There are no words in this will from which to collect that a trust fund was intended, and there is no express trust; the words, the property, and the object must be clear; each of these is a *sine qua non* of every trust. In considering the object and property embraced by this will, and whether the words used are sufficiently

sufficiently mandatory and imperative, it appears that the only words to that effect are " will remain under your charge: you are the managers thereof," which cannot be held sufficient to raise a trust, under the want of a definite object. In the codicils, where a trust was intended, this *sine qua non* as to the object, is supplied. The clauses in the codicils make the object sufficiently distinct.

By the will it is evident, that the testator intended to make the residue of his estate liable to the charges of certain pious duties, though the amount is not named, but left to the discretion of the defendants alone; and had it been intended as a trust fund, it was evident that he did not intend that the complainants should share in its benefit; since he had expressly excluded them from all concern with the residue of the estate. By giving such unbounded powers to the two eldest sons, the intention of the testator is made apparent. In order to prevent disputes respecting the duties to be performed by the two elder brothers, he directs that the six younger sons are to have notice of the performance of the religious ceremonies; and if they object, their objections are to have no weight. To make the object still more plain, and to draw more distinctly the line of separation between the six sons and their two elder brothers, he declares that the latter are to have no concern in the management; and if they do object, their objections are inadmissible. Had the testator intended all the eight sons to be joint sharers in the residuary estate, he would not thus have excluded them from all concern in its management.---It is impossible to conceive that he intended to give any such interest in the residuary property to the six younger sons, when he expressly declares that there is to be no common concern, and excludes them from all control or power respecting that property, which he could not have consistently done had he intended them to be joint proprietors.---Such an exclusion from all right of control negatives the idea of proprietary right.

The original bill was filed by the complainants before the ashes of their father were cold.---He who knew, from the best opportunities, the disposition of his own offspring and their relative qualities, did not choose to confide equally in them all, though they were all adults; but some stood higher in his confidence and affection than others, and it was natural that to choose he should give a proof of the preference in his favour; and that he should repose his confidence in those who best deserved it. If it be decided that all the eight sons are entitled to share in the residuary estate, there is no restriction to prevent an immediate division of the property; and, consequently, the complainants may to-morrow, if they will, take it out of the hands of the defendants, in direct opposition to the will of the father. By the exclusion of the six younger sons from all interest in the residuary property, and leaving it entirely to the two elder sons, he knew that the complainants would be irritated at that unequal division of his property; foreseeing that effect, he guarded against their interference by introducing a clause into his will, that limits them to the option of joining in the pious rites of the family, but expressly excluding them from all concern in the property. It has been asked, if the testator intended that the defendant should

should possess the whole of the residuary property, why did he leave them the separate legacy of three lacs of rupees each? But it is plain that the three lacs were given to them for certain uses; making over to them the residue of his property, and distinguishing them from the others as the particular object of his confidence and affection.

It was probable that the distinction between actual possession and a beneficial interest in the property possessed, never entered the head of the testator. No body but a lawyer thought of such a distinction. No man even in England except a lawyer, would think of separating the possession from property—it requires legal knowledge to mark the difference; and he believed that no such difference ever entered the head of the testator, or of any other Hindoo; he could not therefore intend to make a distinction that was unknown to him; and in giving to the two elder sons possession of the residuary estate, subject to certain charges, he vested in them the proprietary right:--placing the residue exclusively in their hands, and leaving the amount to be expended in religious and charitable functions, entirely discretional with them, is decisive against any claim to a beneficial interest on the part of the six younger sons. To have given them any claim in that property, an express declaration in the will to that effect was necessary. In point of law he considered such a declaration necessary to give the six any interest in that property. To that effect, he thought it would be necessary in law, that there should be words sufficient to support the intention; that those for whom the benefit was intended should be declared; the property given should be certain and fixed; and not dependent on the will or discretion of another. There were three indispensable *sine qua nons*, to entitle the complainants to any beneficial interest in the residuary property; not one of which was to be found in this will. There was not a word directing any part of the property to be paid to the complainants; not a word as to the objects to which any part of the property is to result; nor is there any certain property appropriated. As to the objects to be accomplished, the testator leaves the mode and the expense entirely to the discretion of the defendants, unfettered by all restraint from the complainants.

If the testator did intend to raise a trust, the most natural and obvious purpose of it was the benefit of the two elder sons, and their descendants. That he should select the two eldest sons to be executors of his will, to entrust them with the management of the estate, to perform various religious offices, to discharge all the weighty and important obligations of executors to such an estate, without any recompence for their trouble, is extremely improbable.---It cannot be supposed that he would place these two favourite sons, the first in his regard and confidence, in a worse situation than the younger sons:---It is incredible; and yet such would be the effect if the bill of the complainants is not dismissed. Had he no other ground of preference than that of primogeniture, which is highly respected by all Hindoos, that alone would have had its influence in preventing the two elder sons from being placed in a worse situation than their six younger brothers; and less advantageous to them than had he died intestate; in

in which case the eldest son, by the Hindoo law, would have been entitled to one-twentieth of the whole property, in the first instance, and the second son to one-fortieth part; after which, the residue would have been equally divided among all the sons: so that if the bill be not dismissed, the two elder sons, are not only without compensation for their trouble as executors, but are placed in a worse situation by this will, than if the father had died intestate; nor can those objects, considered so important to the testator's reputation in this world, and his happiness in another, be effected, if the two eldest sons are not vested with the residuary estate, subject to such duties and charges as the will directs. It has been asked, if the Testator intended to give a beneficial interest to the two elder sons in the residuary property, why did he use the words "will remain under the charge of you two." To that it might be answered, that the rule of construction looks to the whole scope and intention of the will, and not to any particular word or passage; and that that ought to be their guide in the construction, would appear by turning to one of the codicils, where he says, "my daughter will receive 10,000 rupees," and, according to these words, were they to go by them only, the money must be paid to the daughter; but by the sequel of the Codocil it appears, that sum is to remain under charge of the two elder brothers; so in his will in giving three lacs of rupees to each of the eight sons, his words are, each shall receive, but by addressing his will to the elder sons, and making it in their names exclusively, he intended to vest the whole of the residuary property in them, subject to the payment of debts and the charges of certain pious duties. It has been said that the words under your management or charge, are inconsistent with the right of property. It may fairly be said, that the word charge or management standing by itself, could not fully imply the right of property in the thing held; but if the word manager were added to an English will, in which the intention of the testator to vest property in the person, was fairly collected, the addition of that word would not be inconsistent with the general intention; and would not affect the right of property. It is a common expression to say, that such an estate thrives under such a one's management; and there the sense in which management is taken, is not at all incompatible with the fullest right of property.

If the testator intended by this will to raise a trust, it could only be for one of three objects—the first, for pious and charitable purposes;---secondly, as a fund for the benefit of all the sons; and thirdly, for the benefit of the two eldest sons, subject to the charges.

There are no words sufficient to raise a trust by this will, for charitable purposes, although the general nature of the expressions will not prevent it in such cases.---The translator has only rendered the word "out of," in the case of the payment of debts, and "from," elsewhere,---that, however, is of no consequence. There is no application of any estate to any of the purposes enumerated; and therefore there is no trust; but if there were, the complainants' bill must be dismissed, framed as it is. If there be no trust for charitable or pious purposes, it can never be contended, that the testator intended to give any interest in the residue to either or all

all of the six sons, which is at variance with the language of the will, which excludes them from all management or concern, at the same time that, with a view to religious family decorum, he desires a communication to that purpose, to be made to the six younger sons, carefully guarding against any conclusion, and the previous declaration that they should have no concern one with the other. If it be decided that it was not the intention of the testator to exclude the younger brothers, they may file a bill for the partition of the whole, whenever they please. The separate legacies to them under that construction, are unaccountable, though not so the legacies to the elder sons. It requires express words to separate the beneficial interest from the possession. But the complainants have neither possession nor beneficial interest given to them by any words in this will. There are no words mandatory or recommendatory in favour of the complainants, as to the principal or profits; or pointing them out as objects of his bequest. How is the balance of this estate, for which the defendants are called upon to account, to be ascertained? If there were nothing but the debts and the particular objects, the balance of the residue might be ascertained, but as there are various undefined objects to be regulated at the discretion of the defendants, such a balance can never be ascertained; and his lordship thence inferred that the testator intended the beneficial interest to go to the two sons. And it was most improbable that he could intend to place his two eldest sons in a worse situation than the younger; and yet such must be the case if the complainants are right, as, by a division according to the Hindoo law, they would have been entitled to more than their younger brothers.---The testator does not any where say I give:--- the words of the bequest throughout are pursuant to the object he had in view. He intended the estate to go to his two elder sons, subject to debts and to the charges, and had no idea of perpetuity as to the residue; although as to the property in the codicils he had such an intention; and these were written on the same day with the will itself. A doubt might arise whether he gave the two elder sons, more than an estate for life, if the direction as to the payment of debts, &c. did not carry the fee, according to the determinations so numerous on this point.

It has been presumed that the testator intended to form a sort of nondescript perpetuity, by which the residue of his estate should remain as a monument of his name and greatness upon earth. Such an idea, however, was unsupported by proof, and was in itself absurd. There was no probability that the testator ever thought of so extraordinary a perpetuity, nor of any other perpetuity for the residue of his estate, though in his codicils he has constituted a perpetuity for express purposes and had he intended to have done so with the residue of his estate, it would in like manner have been expressed in the will, which was made on the same day with the codicils. That he had no such purpose is also evident from his not using the words for ever; nor does he even say to you and to your heirs; and if he had used these words, it would go no further than a fee; it could not create a perpetuity. There is no perpetuity formed or intended, nor is there any attempt to lock up the property. The

The law requires that the property should be enjoyed, and the question then arises by whom? The charges on the residuary property are to be considered as mere legacies, or as charges to which every estate in the hands of the Hindoos are subject, and they are all left to the discretion of the defendants.

It is a clear and established rule and first principle, that no resulting trust can be raised contrary to the intention of the testator; the intention must prevail even against the words; and that heirs at law must be excluded by necessary implication, from the words of the will, neednot be urged. P. C. 51.--- The implication here, is necessarily raised in favour of the two elder sons, to the exclusion of the six younger; for the implication, in favour of the two, cannot be set aside, without also putting aside the whole of the residuary clause. A doubt has been suggested whether the words, "will remain under your charge," are sufficient to convey the right of property; but there is an addition to these words, an express devise by this will. The defendants by the words of the will are directed to pay debts out of the residue, and to fulfil other purposes; to do which requires that they should have absolute dominion of the property; even where there is a devise to pay debts and funeral expenses, it gives a fee--- no will requires particular words to confer an estate.---Gardner and Skelton, 1 Eqy. Cas. abrd. 197.

It is then said, that if the testator did not intend a trust either for pious purposes; or, for all the sons, it must be left for some other purpose; and from omitting to say in the will, that the residue shall go to the use and benefit of the two elder sons, it could not be intended to go to them. Every presumption by which a resulting trust could arise is rebutted by the language of this will. The nature of a resulting trust is, that it arises from some express or constructive trust intended by the testator; such intent is therefore a previous question, and must depend upon there being words which shew he *did not* intend that the legatee or devisee, should have the beneficial interest, and that the testator would have declared such to be his intention, had he been called upon. The devise in this case is not a property to be sold, but a devise to the defendants, subject to certain charges with general directions; and no such devise has ever been construed to be a trust. It has been said that the words "will remain under your charge," have raised a trust by construction; but the rule is, that there must be a certain express object to raise a trust, and no such object is here.

Lord Hardwicke in Hill and the Bishop of London, 1. Atk. 618. shews the further rules as to resulting trusts; and the decision in this last case was in favour of the defendants in the present. There is no instance of a resulting trust, where there is a devise, with personal instructions to pay debts. In the last case there was no declaration as to the produce arising from the sale of the Advowson, and yet Lord Hardwicke held that there was no resulting trust. Suppose that in this case the residue of the estate, consisted of lands to be sold, for payment of debts and other purposes, there were many authorities for deciding that, even in that case, no resulting trust could be raised unless the intention of the testator were clear to that effect--- notwith-

notwithstanding lands are sold, the residue should not result to the heir at law---such a claim had been set aside by the Lord Keeper, assisted by four Judges. So is North and Crompton, 1 Cas. Chy. 196. the law gave the estate to the devisee, though no directions were given as to the disposal of the residue, after the payment of the debts and legacies.---So in Rogers and Rogers, Talbot 268, the Chancellor said it was impossible to believe that the testator meant to make the devisee a trustee for the heir at law, and there the words were *in trust* for the payment of debts and legacies---So in Malabar and Malabar, Talbot 78, the words were *upon trust, &c.* So in 2 Freeman, 105, and *Cunningham and Millish*, 1. Eqy. cases abd. 273. In one of those cases there was an attempt made to take the residuary property from the devisee in favour of the heir at law; but the House of Lords and the courts below, set aside the claim; and it was then said by the lord chancellor, that if it were held that the beneficial interest in the property, should result to the heir at law, the devisee would have nothing but his labour for his pains---So much as to a resulting trust to an heir.---Now as to an executor, the question must depend upon the testator's intention.—The *onus probandi* would be on the next of kin---it would be necessary that the next of kin should shew that the testator did intend to exclude the executor; and that intention must be clearly proved, before the interest of the executor can be disturbed---there must be clear proof, violent presumption, or irresistible inference that, by naming an executor, the testator did not intend him to have the beneficial interest in the residuary property; wherever there is such property undisposed of, the fundamental presumption that the law makes in such case is, that it is a gift to the executor, of which he is not to be dispossessed by the next of kin at law, or that the executor shall take the whole of such residue, unless there be direct proof, violent presumption, or irresistible inference of the intention of the testator to the contrary, arising from the will itself, and the complainants must shew such grounds in their favour, before the defendants could be called upon to rebut their claim. A legacy to an executor cannot take way or affect his right to the residue of the estate. To have that effect it is necessary that the legacy be given expressly for his trouble, and his right to the residue cannot be disturbed unless under direct proof, strong presumption, or irresistible inference. The legacies in this case will afford neither such proof, presumption, nor inference; and unless the complainants can shew such grounds, the right of the defendants cannot be affected, even were they entire strangers, unconnected with the family of the testator; and if a doubt only could be raised against their right, were they standing in the situation of mere strangers, how much more strongly does their right to the property appear, when considered as the elder sons and the heads of the family, vested with the higher pretensions, particularly recognised by the Hindoos, and by their law in favour of primogeniture? It is natural to believe, that the testator intended them adequate compensation for their trouble; and there is no proof by which the complainants can shew, that the testator did not intend that they should take the whole of the residue of the estate.

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The estate being in the hands of the executor, the next of kin must, from the will, shew such an intent of the testator in his favour; and then the executor may rebut the inference by extrinsic evidence. All the cases shew that the executor must have the beneficial interest in what is undisposed of; unless there is an irresistible inference to the contrary. Where is that evidence or inference here? If the express legacies in this will to the two defendants, can be held to exclude them from their rights as executors, the legacies to each of the six complainants must also exclude them as next of kin. The cases of equal legacies making the executors trustees for the residue, admits of many exceptions, as in *Rutland* and *Rutland*, 2. *Peere Williams*, 209—*Ball* and *Smith*, 2 Vern. 676. *Jones* and *Westcomb*, 1. Eqy. Cas. and 245, both noticed in *Southcot* and *Watson* 3. Atkins. 229. *Lawson* and *Lawson* 4. *Bro.* P. C. 21 and *Hornsby* and *Finch*---2 Ves. Senr. 80.---The case is, that they are trustees, when the legacies are given for their care and trouble in the management; as in Foster and Munt 1 Vernon, 273, or when an irresistible inference arises from some point equally strong, *Bowker* and *Hunter*, 1 *Bro.* C. Chy. 328, shews and confirms this doctrine. But this case does not stand on the mere defect of evidence on the part of the complainants, for the words of the will are in their favour, as are their relationship and the legacies to the complainants. *Att, versus Hooker*, 2d *P. Williams* 338, and from all these considerations his lordship inferred that the testator intended to exclude the six younger sons, from any interest beyond their express legacies.

It would be destruction to the purposes of the will, if the complainants have a right to call for a division of the property, since by the words of the will, they are shut out from all concern with it. The case of Pickering and Lord Stamford was a legal intestacy, the property not being disposed of at law, or in equity, but does not extend to the case of an executor, or of a resulting trust. Lord Loughborough's own doctrine, in *Bowker* and *Hunter*, shews 1 Bro. 238, that neither heir nor executor can be excluded but by express words, or necessary implication; but here there is an express devise of the property.—In Bachelor and Searle, there was no gift of the surplus: Vern. 736, Brassbridge and Woodroffe—2d Atkins 68, the executor's right prevailed upon the single ground, that the intent of the testator was to exclude the next of kin. There is no legal foundation in this will on which to rest a resulting trust, and Vatchest and Breton, 5 Bro. P. C. 51, shews that if there was a resulting trust, it could only result from the defendants as executors, to themselves as next of kin, and eldest sons. There is nothing in this case like an intestacy, so that he was clearly of opinion, that the complainants have only shewn a right to their legacies of three lacs of rupees to each; and that they have no right to an account, with a view to, or in aid of evidence; and they cannot have it on any other ground, as the court are all agreed as to the right of the testator to bequeath his ancestorial and acquired property, in unequal portions; and a reference to the master would, he thought, be at variance with the whole scope of the will, and counteract the intention of the testator.

On all the points of law the inferences

ferences are in favour of the defendants. The Hindoo law does not stand in the way of the execution of this will, as it acknowledges the right of the testator to make an unequal distribution of his property. The will does not express any trust, there is not one of the *sine quâ nons* of such a trust; neither is there any constructive trust. Where chattles, &c. as in this case to pay thereout debts or other charges the residue becomes the property of the devisee, and no resulting trust can spring from such a devise. There are here no such direct proof, no violent presumption, nor irresistible inference, as the law requires, to disturb the right of the defendants; and the grounds for raising a resulting trust are rebutted by the general intention, collected from the will; and if any trust could result, it must be to the defendants, as next of kin; the other six sons being expressly excluded by the words of the will.

It has been said, if the balance of the residuary estate were found to be very considerable, it might be concluded that the whole of the sons were intended by the testator to share in that residuary fund, but that if found to be inconsiderable, it should go to the two elder sons only. But no such rule could apply—their decision was not to be guided by the amount of the property, but by law, and must be the same whether it was one lac or an hundred lacs. He thought that the bill ought to be dismissed, as the object of the testator expressed in the will was, that the complainants should have no concern or controul in the residue; but if the bill be not dismissed they must have a very important concern with it; and the decree, which they were called upon to give, must frustrate all the intentions of the testator. The complainants, until a partition of the property be made, would have a right to interfere, though the will expressly interdicts their interference. A general decree to account would be vain also, unless the whole be submitted to the master; and if the sons disagree the points at variance must come before the court, which would impose upon them the regulation of the mode, form, &c. of idolatrous worship, duties not very consistent with the character of a British and Christian court. The directing in this case, any such reference to the master, is in direct opposition to the intention of the testator, and has the effect of setting aside all his arrangements; and taking away that discretionary power which he gave to the two elder sons to the exclusion of the others.

Occurrences for SEPTEMBER.

SEPT. 3.---Accounts immediately received from Bencoolen, convey information of the safety of the ship Duchess of York, captain Forrest, of Calcutta, considered as a missing ship for upwards of six months.

The Duchess of York sailed from Calcutta, for Port Jackson, in New South Wales, nearly twenty months ago, and arrived in safety at her destination. Thence she proceeded to the Feejee Islands, in quest of a cargo of sandal wood, which having obtained, she returned to Fort Jackson, and again sailed on

on the same voyage early in January last.

Having completed his second cargo of sandal wood, captain Forrest sailed from the Feejee Islands, on the 30th March, and endeavoured to get to China, for which market his sandal wood was intended, by an Eastern route, but from the lateness of the season, after fruitlessly persevering for nearly three months, he found it necessary to bear up, and to make his passage to China, by the straits of Malacca On passing the West coast of Sumatra, he touched at Bencoolen, and after a very short stay, sailed in prosecution of his voyage to Canton, on the 2d of last month.

Captain Forrest brings the latest advices yet received from New South Wales. His accounts from Port Jackson, extended to the beginning of January, at which date the different British colonies in that quarter continued in their usual tranquillity and good order.

The Feejee Islands, mentioned in a preceding paragraph, are probably but little known to the general reader; as it is very recently that they have been brought into notice. Captain Forrest is not, perhaps, the very first Englishman who has visited these Islands, though he is certainly the first of his countrymen who has carried thither a British ship, for the purpose of trade, a fact which certainly reflects credit on captain Forrest, and the owners of the Duchess of York; and which may be noticed with more satisfaction at the present time, when, from the benumbed and stagnant condition of the East India country trade in general, additional value is conferred on every new opening, however circumscribed, of employment for mercantile ships.

The Feejee Islands are situated to the North East of New Zealand, and immediately to the eastward of the large groupe, named the Friendly Islands. They are laid down in some late charts in about 16° 30 south; and 178° east.

Mr. Campbell, of Port Jackson, a gentleman connected with very large commercial establishments, which, on various occasions, have afforded substantial benefit to the British colonies in Austral Asia, had forwarded by captain Forrest, on his second voyage to the Feejee Islands, a valuable breed of sheep, and some other articles, as presents to the two chiefs of the islands, by whom they were most graciously received. This mark of attention would tend to confirm the favourable opinion, which these new acquaintances had formed of the British character.

Sept. 10.---The Durogah, of Sulkeah, who was lately committed for trial, before the court of circuit, on account of his criminal negligence and misconduct, respecting the late murder and robberies perpetrated at that place, has been convicted and sentenced to seven years imprisonment, and a fine of 500 rupees!

Sept. 13.---On Saturday last, the 10th of September, the honourable Sir Henry Russel, chief justice of Bengal, took his seat on the bench as commissary of the court of vice admirality, established in Bengal by his Majesty's commission, bearing date the 21st of January, 1808.

Proclamation being made, the commission under the great seal of the high court of admiralty, was produced in court, read, and formally published, when a royal salute was fired

fired from his Majesty's ship Fox, and from the ramparts of Fort William, in honour of the commission.

A separate commission from the lords commissioners of the Admiralty, directed to, and requiring his Majesty's court of vice admiralty in Bengal, to take cognizance and judicially to proceed upon all captures, prizes, &c.and to adjudge and condemn all such ships, vessels, goods, as shall belong to the French republic, or to the subjects,or inhabitants of the French republic, was also read and proclaimed in court; separate commissions to the same effect, respecting the ships, vessels, and goods, of the Batavian republic, and all the other states at war with Great Britain, were also read and published in open court.

The commissions being read, Sir Henry Russel took the oath of office, the oaths of supremacy and abjuration, upon which a salute of seventeen guns was fired from the ramparts of the Fort, in honour of his lordship's installation.

Sir Henry Russel then made the following appointments in the court of vice admiralty.

William Blackstone, Esq. register.
Walter Ewer, Esq. marshal.
Edward Strettell,Esq.King's advocate.
Charles Walley, Esq. King's proctor.

All the barristers of the supreme court, except the advocate-general, who was absent from indisposition, were at the same time admitted and sworn in as advocates of the court of vice admiralty.

All the attornies of the supreme court, and Mr. I. H. Thomas, were admitted and sworn in proctors of the court of vice admiralty.

The court then adjourned till the 21st of October next.

Captains Cochrane, Gordon, Sneyd, and Groube, of the royal navy, several other naval officers, and a party of seamen and marines, attended the ceremony of opening the court.

The commission, constituting the court of vice admiralty in Bengal, conveys high and extensive powers, and particularly defines the objects of its jurisdiction.

Sept. 26.—Public proposals have been made, under the authority of the supreme government, for the establishment of a new bank at Calcutta, under the denomination of the Bengal Bank.

The principle and regulations of this intended institution have been announced by an official notification.*

Occurrences for OCTOBER.

Oct. 4. His Majesty's frigate, Ceylon, captain Lye, has had the good fortune to intercept two of the enemy's vessels, one a ship of 20 guns, and the other a sloop of 18 guns, in the straits of Malacca. We have not hitherto been able to ascertain any particulars respecting the date or circumstances of this important capture.

La Chiffonne, in her passage to India, fell in with, and captured, on the 9th of July, in latitude 9° north, and longitude 21 9 west, the Spanish national schooner Mosca, commanded by Lieutenant Don

* See Appendix.

Mariano

Mariano Ysastribil, of one gun, and 28 men, bound to Buenos Ayres, with dispatches from Bayonne. The Spaniards succeeded in destroying their dispatches, previous to the capture. The vessel was burnt, and the crew brought on to India, by La Chiffonne.

Oct. 6. The entertainments given by the natives, in celebration of the Doorgah Poojah have this year been more than usually splendid. On Wednesday last, the Nautch of Rajah Rajkissen was honoured by the presence of Lord Minto, with his family and suite, during the greater part of the evening.

His excellency the commander in chief, in prosecution of his tour through the Upper Provinces, will proceed from Cawnpore to Lucknow. His highness the nabob had dispatched his son to Cawnpore, to receive the general, and conduct him to his capital.

Oct. 8. On Tuesday last, a gang of Decoits attacked the house of Mr. Faddy, indigo planter, at Baunsbury, near Haunscolly, in Kishnagur district, at half-past 4 o'clock in the morning. They killed one of his servants, and cut and wounded Mr. Faddy, his assistant, and several of his people; after which they dragged him and his assistant out on a plain, with an intention to cut off their heads; but on consulting together for about ten minutes, they stripped them almost naked, and let them go. They robbed Mr. F. of plate and cash, and destroyed property belonging to him, to the amount of 4,000 rupees. One of the Decoits was killed, and four wounded in the conflict.

Oct. 9. A vessel which arrived in the Hooghley on the 24th ult. from Rangoon, under the name of the Burmah, was seized on the following day by one of his Majesty's ships, on a suspicion of her being the brig Regina, lately arrived at Rangoon from the Isle of France. She had on board a quantity of cloves, which she is supposed to have exported from the Mauritius.

Fort William, Oct. 10. Government Order. "The governor general in council has received with unfeigned regret the official report of the death of lieutenant-colonel Colebrooke, surveyor general, at Bhaugulpore on the 21st ultimo; and he feels it to be a just acknowledgement of the claims of distinguished merit, attainments, and character, to express on this lamentable occasion, his sense of the loss which the service has sustained in an officer, whose long and honourable career of public life, had been peculiarly marked by integrity of conduct, an ardent and active zeal for the promotion of science, and by unremitted and meritorious exertions in the performance of all the duties of his profession."

Oct. 11. Letters received on Sunday from Lucknow, mention the death of the celebrated Almass, who so long acted a conspicuous part under the Nabob's government.

The treasure remitted from England, on his Majesty's frigate, La Chiffonne, was landed on Thursday last, and conveyed to the General Treasury. Its amount, in Bengal currency, is rated at 25 lacs of rupees.

On Saturday evening, between the hours of seven and eight, a meeting took place under the great tree on the Kidderpore road, between two military gentlemen, holding staff appointments at this Presidency.

Presidency. The dispute is said to have originated in some expressions used by one of the parties, which the other thought it incumbent on him to resent. They went to the spot, unaccompanied by seconds, and, it is said, exchanged shots, at a distance of 10 paces, upon a signal given by one of their servants, who attended with a lantern. At the first fire, the ball from one of the gentlemen's pistols entered the forehead of his antagonist, who instantly fell and expired. A coroner's inquest was held upon the body of the deceased on Sunday, who gave in a verdict of "Wilful murder, by a person or persons unknown."

Oct 18. Late on Wednesday evening, an express was received at the Bankshall, announcing the arrival in the river of his Majesty's frigate Modeste, the honourable Captain Elliot commander, accompanied by her prize, the French national corvette, Jena, of 22 guns, (formerly commanded by M. Surcouf, under the name of the Revenant, privateer.) The Jena was captured, to the south of the Sand Heads, after a tedious chase of nine hours.

At the time of her capture, the Jena had on board, 25,000 dollars, which she had taken out of the ship Swallow, from Penang, the 9th ultimo, captured by her a few days before.

Captain Elliot has likewise had the good fortune to retake an Arab ship, (formerly the Frederick of this port) which had previously fallen a prize to the Jena. She is a fine vessel, of about 500 tons, and laden with a valuable cargo.

The Modeste has arrived in the river with her prizes. An officer from the court of vice-admiralty has left town, to take charge of the captured property.

The Jena was commanded by Captain Maurice, late first lieutenant of the Semillante, who distinguished himself so honourably, in his former situation, by his civilities to the passengers of the Althea, and other English prisoners. The Jena sailed from the Isle of France with an envoy on board, and a packet of government dispatches, for the Gulph of Persia. After executing her commission in that quarter, she proceeded on her return, charged with counter-dispatches for the Mauritius; but was tempted to depart from her right course, in quest of prizes. With this view, she proceeded up the Bay. She succeeded in capturing the Swallow, and took and destroyed a small vessel named the Janet (not the Jane) of about 40 or 50 tons burthen, belonging to this port.

After the capture of the Swallow, she took her station off the Sand Heads, in the hope of intercepting the Hunter from Penang—It was so late in the evening, when she first saw the Modeste, that she mistook her for the vessel she was in quest of. Under this impression she bore down boldly, and came close up to her, before she discovered her error.—It was now midnight. She instantly put about, set every sail, and threw overboard seven of her guns, together with her boats, hen-coops, and every thing moveable upon her decks. The result is already stated.

The crew of the Jena, at the time she came into action, is said to have amounted to 150 men. Her loss in killed and wounded is represented by her officers to have been but trivial,—not exceeding

ing four or five.—Mr. Donovan, the master of the Modeste, who fell towards the close of the action, was killed by a grape-shot, which entered his forehead, while standing on the quarter-deck. The only other person on board who received any injury, was a seaman on the main-top,—slightly wounded.

At the time the Jena struck, only 13 of her guns remained, the others having been thrown overboard. The dispatches, with which she was charged, were likewise sunk, previous to her surrender. The English prisoners found on board the Jena, all bear witness to the kindness and attention, which they had uniformly experienced from the captain and officers.

The Jena was expected off town, in the course of yesterday afternoon; her crew were debarking from the Modeste on Sunday, in order to be conveyed to town. She is a fine new vessel; and was built in France, by permission of the French government, for the purpose of cruizing in these seas, under an express stipulation, that, after three years, Mons. Surcouf should deliver her over to the government of the Isle of France. It is hoped and believed, that she will be deemed a valuable acquisition to his Majesty's navy.

The Swallow was in company with the Jena, at the time she encountered the Modeste; but, on perceiving the predicament into which the Jena had brought herself, she immediately made all sail and effected her escape. The Swallow is an old privateer, and accounted a prime sailer.

According to the report of the officers of the Swallow, who have arrived here in the Jena, the Triton of this port had been wrecked, on a Sand Bank, in the Straits of Malacca. The crew are supposed to have been saved, and endeavours had been used, by some small vessels from Penang, to recover part of the cargo, but without effect.

The Triton quitted her Calcutta pilot on the 23d of August; with a valuable cargo of cotton and opium for China. She is insured in Calcutta for rs. 4,60,000; besides rs. 50,000, at Madras; making altogether an insurance of rs. 5,10,000.

The exact amount of the loss, sustained by the Insurance Offices of Calcutta, from the capture of the Peggy, is rs. 4,85,000. And the whole aggregate amount of the late losses, supposing that of the Triton to be authentic, will be sic. rs. 11,50,000. Of this sum, rs. 3,57,000 fall upon one office.

The French frigate, Caroline, was off Ganjam on the 22d ultimo. One of his Majesty's vessels had been in Vizagapatam Roads, two days before; and, it was hoped, might succeed in intercepting her.

The commercial accounts lately received from the eastward by the arrival of the Experiment from Bencoolen, are stated to be considerably more favourable than preceding advices anticipated. Opium had experienced a rise from 900 dollars to 1050 dollars per chest; and piece goods had become saleable at a material advance.

In consequence of the great demand for pepper at the northern ports of Sumatra, the price of that commodity had been enhanced, from 5 dollars to 9 dollars per pecul.

One of the principal houses of agency in Calcutta, has lately sustained a loss of from 4 to 5000 rupees, by the repeated accept-

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ance of drafts, forged by a native Soucar, in the name of his master. — The culprit has absconded.

Oct. 24. Intelligence has been received, confirmatory of the loss of the Triton.

Fort William, Oct. 25. The right hon. the governor-general in council, having received, from the resident at Lucknow, intelligence of the melancholy event of the death of her highness the Nabaub i Auleah, the mother of his highness the vizier, is pleased to direct, that as a testimony of public regret at her highness's decease, and of respect to his highness the vizier, minute guns to the number of 70, answering to the age of the deceased, be fired from the ramparts of Fort William, at noon this day, with the flag half-mast high.

Oct. 26. On Friday last, the 21st curt. a court of vice admiralty was held at the new court house, pursuant to adjournment made on the 10th ultimo, for the dispatch of such business as might be brought before it.

As the commission, under the seal of the high court of admiralty of England, authorizes the commissary of the vice admiralty court of Bengal, to appoint a deputy commissary of the said court, that clause of the commission being read by the register, Sir Henry Russel said, "Under the authority thus vested in me, I have appointed Sir John Royds, who has been pleased to signify his willingness to accept the same to be deputy commissary of this court of vice admiralty." The appointment, under the hand of Sir Henry Russel and under the seal of the court, being then read, Sir John Royds took the oaths of office, the officers of court and the audience standing, during the ceremony, as a mark of respect.

Mr. Advocate-general Smith, who was absent on account of indisposition, on the opening of the court, on the 10th ultimo, was now sworn, and enrolled as an advocate of the court of vice admiralty.

Sir Henry Russel then delivered a short address from the bench. He did not intend, said his Lordship, to make on this occasion a speech of inauguration, but one much more humble and useful, which had for its object briefly to explain the practice and course of proceedings in courts of admiralty which were entirely new to himself, to the advocates, to the officers, and to them all. He had himself, since his appointment, assiduously laboured to gain information from all the sources within his reach.—Sir Henry in his opening touched upon the national importance of courts of admiralty. It was by the just proceedings in these courts that England while she was eminently great and warlike, maintained at the same time her high character as a just and honourable nation. It was the regular proceedings in courts of prize that chiefly distinguished fair and honourable warfare from acts of piracy. The judicial investigation of prize property was indispensibly necessary and just to all the parties interested. Till the claims that might be set up against the property, were investigated, it was impossible to say to whom it was to be adjudged. The crown might have claims upon it, the subjects of the crown, or the subjects of a foreign state, might also have just claims to it, which were all necessary to be investigated before it could be adjudged to

belong

belong to the captors. The court was open to any individual, who conceived that he had a claim to the property, and it was on these obvious grounds, that no species of prize property wherever or under whatever circumstances captured, could be considered as belonging to the captor, till duly condemned in a court of prize.

Having enlarged on these topics at some length, Sir Henry Russel proceeded to offer a few observations on the duties of the officers of vice admiralty courts; and first touching the duty of the marshal. Sir Henry here remarked, that he had, at first, doubted whether he had authority to appoint a marshal, as the commission did not convey or rather did not express such authority, his doubts however had been removed, not only by the instructions he had received from the commission, from the lords of the admiralty; in which the office of marshal is particularly mentioned, and some of his duties pointed out; but also by referring to such documents and information as he had been able to obtain, and the practice of other courts on the subject. In 1734, a commission had been appointed in England, to ascertain and to report among other things, as to what officers did belong to the high court of admiralty; and in the report of the commissioners, the offices of marshal and register are expressly mentioned, and their duties pointed out; and the practice of these officers has ever since been regulated by their report. In the several courts established at the Cape, at Ceylon, at Bombay, and at Madras, marshals have been appointed, and therefore he considered it proper to appoint one in this court.

It was the duty of the marshal, either personally or by a sufficient deputy, to go on board every prize brought within the jurisdiction of the court, and to take charge of the vessel, and all the property on board. By the term charge, as here used, was to be considered no more than that the marshal should take such charge of the prize ship and cargo, as effectually to prevent any part of the property on board from being embezzled or lost. He was to put seals upon the hatches, and to take such other precautions as might appear necessary for the safety of the property, and of which he was to continue in charge, until an interlocutory decree, or final adjudication, was pronounced by the court.

In the port of London, it had been the uniform practice, for the marshal to take charge of all prizes entering the river Thames. In the out-ports, where there was no marshal, two of the commissioners and the naval officer of the port, take charge in the same way, as where there is a marshal. If any part of the cargo was of a perishable nature or likely to receive injury, by being kept on board, it became the duty of the marshal to make a report on the subject, to the court, for their instructions. Sir Henry continued, and laid down the further duties of the marshal conformably to the practice in England. The same practice was followed at the Cape, and also at Bombay, and Ceylon, the only two courts of admiralty, which in this country, had yet been set in action. The court of vice admiralty, lately established at Madras, had not, he believed, yet commenced proceedings.

An erroneous idea had gone abroad that the captor, having brought his prize within the jurisdiction

diction of an admiralty court, had the choice of proceeding against the prize in that court or not, and if he the captor, thought fit, he might carry the prize vessel and cargo, from the jurisdiction of one court to another, a position which the learned judge positively denied. Whenever a prize came within the jurisdiction of a court of admiralty, she was no longer under the controul of the captor, and proceedings were to be entered against her, in that court, without delay. The act of parliament had limited the time, within which these proceedings were to commence, to five days; and Sir William Scott, had further limited the period to forty-eight hours. It would be unreasonable in the extreme, were the captor to be at liberty to carry the property from one jurisdiction to another. He was not the sole party concerned;—under the condemnation of the property, he was only a sharer—his officers, his crew, the crown, and the subjects of the crown might be claimants; and until the property were regularly condemned, not a tittle of it could be held as belonging to the captor. Would it be fair or just, that the interest of all the other parties concerned, should be put to risk by the property being carried hence to Madras, thence to Bombay, and probably from thence to England? If so, where was it to stop? As far as respected himself, his duty should be discharged, and he would take care that, whatever prize property was brought within the jurisdiction of this court, should be here adjudged.

Sir Henry went on to state the duty of captors, with respect to the papers and property, found on board captured vessels; and having adverted to various particulars, respecting prize property, and the practice of the court, he remarked that to the directions he had laid down, he should strictly conform, till he was corrected by some higher authority, and at the same time he expected that they would, in like manner, be complied with by those to whom they related.

In adverting to the standing interrogatories on the part of the crown, Sir Henry Russel remarked, that it was strictly enjoined that three or more, but at the least three of the officers of the prize vessel, should give their answers to these interrogatories. Some delay no doubt was thereby occasioned, but that was amply counterbalanced, by the effect thence resulting, in eliciting the truth, as had been manifested in the practice of Sir William Scott, who in collating and comparing the answers of the different parties, had in many cases got at the truth, which otherwise would have been perhaps impossible; and here Sir Henry offered a high and deserved compliment to the present judge of the high court of admiralty, whose ingenuity and acuteness, he remarked, had never been surpassed.

In conclusion, the learned judge declared that with respect to any errors or informalities that had arisen previously or subsequently to the institution of the court, he was fully disposed to give them as indulgent consideration as he could do, legally. The business was new, it was strange to them all, and therefore much allowance was due, and, he believed, that he should stand in need of his share of the indulgence. He repeated that he should not be easily stopped, from taking the most lenient and favourable view of whatever informalities or mistakes had occurred,

under a fair and honourable intention; in all such cases he would be as indulgent as he could be legally: further he could not go. If any particular instances claimed an indulgence beyond what it was in his power to give, he would be disposed to make them the subject of a special report to the lords of the admiralty.

There being no business in sufficient forwardness to proceed upon, the court was adjourned till Saturday next the 29th instant.

Ralph Uvedale and Philip Brady, Esqrs. have been appointed commissioners for taking examinations in the court of vice admiralty.

Oct. 30. Captain C. Batty, H. M. 22d regiment, who came out from England on the Harriett; just after that ship anchored at Diamond Harbour on the evening of Thursday se'nnight, while standing at the gangway, speaking to a man in a country boat alongside the ship, unfortunately slipt overboard, and was seen no more! although two or three gentlemen were standing close to the deceased, at the very instant he fell; who observed that his head struck against the ship's side, as he went down.

Occurrences for NOVEMBER.

Nov. 1st.---This being the anniversary of the battle of Laswarie, and the same being appointed for the ceremony of the presentation of the honorary colours, to the 1st and 2d battalions of the 15th regiment of Native infantry, now at Barrackpore, the regiment was drawn up at an early hour, for the reception of the right honourable Lord Minto, who did the corps the honour to present the colours, at the head of the grenadier companies, previously advanced to receive them. Upon presenting the colours to lieutenant-colonel Burrell, his lordship delivered the following eloquent and animated address, equally appropriate to the occasion as honourable to the corps.

" COLONEL BURRELL,---It is not unusual on occasions like the present, to deliver a few thoughts adapted to the nature of the ceremony. In a common case, therefore, I might, perhaps without impropriety, have prefaced this solemnity with observing, that the ensigns of a military body are not to be regarded as mere decorations to catch the notice of the vulgar, but that they have ever been esteemed by good soldiers, the emblems, and the pledges, of those virtues and eminent endowments, which form the best and indeed the peculiar ornaments of the military character. I might have said, that whoever casts his eye on his colours, is reminded of loyalty to his sovereign and his country; fidelity to the government he serves; obedience to command; valour in the field; constancy under fatigue, privation, and hardship. That he, alone, maintains the honour of his colours, who lives and dies without reproach; and that when a soldier has pronounced the vow never to abandon them, but to fall in their defence,

defence, he has promised, in other words, that under all circumstances, and in every extremity, he will prefer duty to life itself.

"Such topics, Sir, as these, might have suited other ceremonies of a similar nature. But I am sensible that I should depreciate the true character of the present proceeding, and I feel that I should degrade the high honours which I have the happiness to present to you, in the name of your country, if I thought it necessary to expatiate on the duties and virtues of military life, addressing myself, as I now am, to men, who have afforded to their country and the world, so many clear and signal proofs of every quality that can illustrate their honorable profession.

"These colours are delivered, therefore, to your care, not as pledges of future desert; they are, at once, the reward of services already performed; and the memorial of glory already acquired.---They display, indeed, the title and insignia of one great and splendid victory, in the celebration of which, we find ourselves, at this very hour, commemorating another triumph, in which also, you were partakers. It might, indeed, have been difficult to select a day for this ceremony, which would not have recalled some one of the many distinguished actions, which have entitled you to share the fame of your renowned and lamented commander, and which would not have reminded us, that, as his revered name is stamped indelibly on your banners, so you were, indeed, associated with him, in all the dangers, exertions, and successes of his glorious campaigns.

"I beg you, Sir, to express to the 15th regiment, the cordial satisfaction I experience, in bearing with my own hand, this public testimony of the high regard and esteem I entertain for this distinguished body of men; and I request you to convey, above all, the assurances of my firm confidence, that colours obtained at Delhi, and presented on the anniversary of Laswarie, can only acquire new lustre in their hands."

Lieutenant-colonel Burrell replied to his lordship's address in the following words:

"My Lord,---In the name of the 15th Native regiment, I humbly intreat your lordship to accept our unfeigned and respectful thanks, for the high honour your lordship has had the goodness to confer on us, by presenting these honorary colours, and for the favourable terms in which you have been pleased to mention our endeavours in the service of our country.---These colours, my lord, we receive with gratitude, and will preserve with honour, or fall in their defence."

The colours were now escorted to their respective battalions, with the "*Grenadier's March*" by the drums and fifes of the two companies, and were received by the regiment with presented arms, and music playing "*God save the King.*"

The two battalions were then wheeled back into open column of companies, marched in review, past his lordship, halted, wheeled into line, and afterwards formed into three sides of a square, when the substance of his lordship's speech having been explained to the men, they were again formed into line, fired three vollies at open order, drums beating "*Point of War.*"

Thus ended the military ceremony of the day. At about half past

past 8 o'clock, the officers of the regiment, together with a numerous company of gentlemen, both civil and military, who had witnessed the scene, partook of an elegant breakfast, given by Lord Minto, at the government house in the park.

In the evening, his lordship honored the regiment with his company at dinner, in the theatre, which was handsomely fitted up for the occasion.

On the evening of the 2d, a nautch was given to the Native officers and sepoys of the regiment, which his lordship and several ladies honoured with their presence.

Nov. 2d.---"Died lately, at Sird'haro, Mr. Manoel Cardoza, an officer in the service of her Highness Begum Sumroo. His death is much regretted by his numerous friends and relations, and will be particularly felt by the indigent class of people residing in his neighbourhood, to whom he was a generous benefactor.

"This venerable old man, was by birth a Portuguese, and died at the advanced age of one hundred and five years. He was of a strong constitution, hale and robust to the last. He had not lost a single tooth, his sight, however, had become somewhat defective latterly. He continued in good health and spirits till the hour in which he breathed his last. His surviving offspring are as follow:

"Three children, the eldest 64 years,
Two Grand children,
Three Great-grand children,
Three Great-great-grand ditto."

Nov. 16.---The honourable company's ship Travers, was unfortunately lost on the 7th current, off Diamond Island. While going at the rate of eight knots an hour, she struck on a rock below the surface of the water, and very soon went down.* Sixteen seamen unfortunately perished, but the rest of the crew, together with the officers and all the passengers, were saved, and arrived on the Earl Spencer at Kedgaree. The packets and cargo of the ship are entirely lost.

Nov.23d.---On Friday forenoon, his excellency Vice Admiral Sir Edward Pellew, bart. commander in chief of his Majesty's naval forces in India, arrived off Calcutta, in a Pilot schooner, from Saugur roads. Between 12 and 1 o'clock, his excellency landed at Champaul Gaut, accompanied by Mrs. Pownal Pellew, captains Pellew, Cochrane and Stopford, and the other officers of his excellency's family, and suite. The body guard and the government state carriages were drawn up at the Ghaut for his reception, and his landing was notified by a salute of 17 guns from the ramparts of the Fort. Having proceeded in the state coach, to the government house, his excellency was there received by the right honourable the governor general, the members of council, &c.

The Pilot schooner, on which Sir Edward arrived, wore his excellency's flag from Saugur roads to Calcutta, where it was shifted on board his Majesty's sloop of war Rattlesnake, the present naval headquarters in India.

Nov. 23.—On Monday last was launched from the dock-yard of Mr. Matthew Smith, at Howrah, an excellent

* See Appendix.

excellent merchantman of the burthen of 500 tons; she is called the "Beemoolah."

On Wednesday afternoon was launched from the yard of the same builder, on this side of the river, a very beautiful ship, constructed upon the model of a sloop of war, and said to be peculiarly adapted for offence and defence; her burthen is 440 tons, and her name "Emma;" she glided into her destined element, amidst the admiration and applauses of a numerous assemblage of spectators.

It is highly satisfactory to reflect on the rapid and progressive improvement which the noble and important art of ship building has attained at this port, within the period of a few years.

The first attempt of ship-building at Calcutta, was made by Mr. Page Reble in the year 1768, who effected the completion of a ship, at the Bankshall, of about 500 tons burthen.

Since the year 1801, there have been launched in the port of Calcutta, seventy-five ships and brigs, whose tonnage in the aggregate amount to thirty-three thousand eight hundred and thirty-nine tons.

VICE ADMIRALTY COURT.

Nov. 26, 1808. — *Before the Hon. Sir Henry Russel, Commissary.*

This day the court met, pursuant to adjournment.

Mr. Smith, the advocate general, moved for a rule to shew cause, why the marshal of the court of vice-admiralty should not be directed to release the ship Barretto, now under detention in this river. Mr. Smith stated, from the affidavit of the owner, captain Macartey, that the Baretto had been captured, in the month of July, 1806, by a detachment of his Majesty's ships, cruizing in the Eastern seas, under the command of captain Elphinstone; that she was, at that time, a vessel in the Dutch East India Company's service, was named the Batavia, and, at the period of her capture, was on a voyage, in company with two other ships taken at the same time, from the Moluccas to Java; that, when she was brought into Penang by captain Elphinstone, she was in so disabled a state, as to preclude the possibility of sending her for adjudication to any port in India, where a prize court was then established; that she had consequently been put up to sale on account of the captors, had been purchased by a Mr. Douglas, and afterwards resold by him to the present owner, captain Macartey, for the sum of 10,500 dollars; which sum, in the actual condition of the vessel, was deemed a fair and adequate price; that captain Macartey, at the time of purchase, or immediately afterwards, had applied to Sir Thomas Troubridge, then commander in chief of his Majesty's squadron upon that station, to know what steps had been taken towards the adjudication of the said vessel, and that he had received the most satisfactory assurances, that the ship's papers, together with the examinations before the magistrate of Penang and all other necessary documents, had been forwarded to the high court of admiralty in England, where in due course the regular proceedings would be instituted; that, upon the faith of these assurances, captain Macartey had laid out the sum of about 4000 dollars, in the repairs, which were absolutely necessary to enable the vessel to proceed to Calcutta; that on her arrival at Calcutta, he had expended

expended the further sum of 30,000 rupees in her equipment; that he had borrowed the money for this purpose, from Messrs. Baretto and Company, on a mortgage of the ship to that house; that this mortgage still remains unredeemed; and that, what with these, and what with subsequent disbursements, the actual cost of the vessel, as incurred by captain Macartey, had accumulated to upwards of 90,000 rupees, or about three times the sum originally paid to the captors. Mr. Smith, then proceeded to state that, from the period of her sale until the present time, the Baretto had sailed from port to port in India, without let or question; and that she had now been seized by the deputy marshal of the vice admiralty court, by the mere authority of his office, without any warrant from the court. There were no claimants to her, nor from the nature of the case, could any claimant be expected to appear. Situated as captain Macartey was, it was entirely out of his power to produce the documents necessary for her condemnation. The only title which he had, was the bill of sale, granted by the captors. The other documents had never been in his possession. They had been forwarded to England, for the purpose of appearing in evidence before the high court of admiralty; and, though he certainly had received no direct information with respect to the consequent proceedings, he had the strongest presumptive grounds for believing, that the case had in due course come under the cognizance of that court, and that the ship had actually there undergone a regular condemnation. It so happened, that advices had been received in Calcutta, of the adjudication of another vessel, the Victoria, which had been captured in company with the Batavia, and whose papers had been transmitted to England, at the same time, and under the custody of the same person. This fact was expressly mentioned in a letter received by the house of Hogue, Davidson, and Co. from one of their partners in England, which letter he should now read. [Here Mr. Smith read the letter.] The Victoria was formerly the Lucy Mary of this port, and had been the subject of a suit in the court of vice admiralty at Bombay. Of the three prizes, she was the only one to which there were any claimants. If she was condemned therefore in the court at home, it was reasonable to infer, that the two others were condemned at the same time. Mr. Smith here declared, that nothing was further from his intention, than to question in any manner the power or right of his majesty's commissary, to grant monitions for the detention of prize vessels or goods, not only in cases where claims are actually brought before him, but in every case, where it might come to his knowledge that an uncondemned prize had arrived within his jurisdiction. He was ready moreover to admit, that, in many instances, it was the commissary's duty to take cognizance of such cases, by mere virtue of his office, without waiting for any regular information. But he relied upon the declaration, which his lordship had made at the opening of this court, that as far as the law would permit him, he should be inclined to make every fair and indulgent allowance for such irregularities, as through the absence of prize jurisdiction, had become general or habitual in this country, and to refrain from any very rigid retrospection of cases, where there was no evidence of evil intention;

intention; and he contended, that it was not imperative upon a court of vice admiralty to grant a monition in every instance, where application was made to that effect. Mr. Smith here cited various cases in which the judge had exercised a discretionary power of refusing the monition, where there appeared to him to be no proper grounds for the application; and more particularly where he had been actuated in his refusal, by a tenderness for property, that had previously undergone a conversion by fair sale. In one case of this description, Sir William Scott, had directed the claimant to bring his action in the first instance against the captors, instead of bringing it against the goods. Seeing then that the court was vested with such a discretion, there could hardly be imagined a case which had a stronger claim upon its lenity than the present. That it was an irregular case could not be denied. The ship had been sold without adjudication, and was still in the situation of an uncondemned vessel. But, on the other hand, it appeared in affidavit, that she was brought into Penang completely dismasted and disabled, and could not have been equipped for proceeding to Ceylon, (at that time the nearest place of prize jurisdiction in India,) but at an expense equal to more than half her value, that the charge and waste attending her detention at Penang, until sentence of condemnation should be received from England, would be equivalent to the total annihilation of the property, and that the captors therefore had no alternative but to sell her. On the part of captain Macartey, nothing had been wanting. He had applied to admiral Troubridge, for information and authority, and finding the transaction sanctioned by an officer so high in command and responsibility, he naturally concluded that every thing was regular. There existed moreover the strongest presumptive evidence, that the requisite legal proceedings had actually been instituted. A bonâ-fide letter had been produced in court, which noticed the condemnation of another ship, taken at the same time, and under the same circumstances with the Batavia. As the documents relating to all the three vessels had been transmitted to England by the same conveyance, it was of course to be inferred, that they had all come at the same time under the cognizance of the high court of admiralty. According to the very principle, by which the seizure of this vessel was now defended, it must have been the duty of that court, when the case of the Victoria came before it, to ascertain what had been done with her consorts; and it would be a gross impeachment of the vigilance of the eminent judge who presided there, to suppose that they escaped his notice. In addition to all these circumstances, the peculiar hardship of captain Macartey's present situation ought to be taken into account. He had vested capital in his purchase, equal to twice the amount of the purchase money; that capital was now inseparable from the subject matter in question; and a great proportion of it had been borrowed on mortgage. In the mean time, the expense incurred by waste and demurrage in this river, was utterly ruinous; and was felt the more grievously, as an opportunity now offered of employing the vessel on freight or disposing of her by sale; which, if the detention were continued, would in all probability be lost. Mr. Smith then concluded, by expressing his doubts

doubts as to the legality of the deputy marshal's conduct, in taking possession of a vessel under such circumstances, without first obtaining a warrant to that effect from the court. At the same time, he declared, that he had no wish to take advantage of any irregularity in the proceedings. He conceived the court could have no difficulty in acceding to his motion upon the fair and plain merits of the case.

Mr. Strettel, on the part of the crown, rose to oppose the motion. He began by observing that the reputation and honour of Great Britain, and more especially of the British navy, were deeply implicated in the question before the court. The question was simply this, whether the naval officer who brought a prize into port, was also to have the power of condemning that prize. Mr. Strettell here expatiated on the peculiar duties and functions of a court of admiralty. No captor was at liberty to break bulk, or in any way touch or commute the property which he had taken, until he had first brought it to adjudication. It was not enough, that a captured vessel was conducted into port. The prize act required, that she should be brought into a convenient port; and certainly a port, so remote from the prize jurisdiction, before which the case was to be tried, as Penang is from Great Britain, could not come under that denomination. Now the courts of admiralty were established all over India, it was not to be endured, that a naval officer should have it in his power to compel those who might have just claims against his prize, to follow him to a tribunal on the other side of the globe. Mr. Strettell proceeded to assert the legal right, which, (under strict responsibility indeed,) he conceived the marshal of a court of admiralty, in the fullest sense to possess, of seizing and detaining all prize vessels, which had not undergone a regular condemnation. He contended that this right had been properly exercised in the present instance, and quoted a decision of the high court of admiralty, in proof of his opinion. He professed, that under all the circumstances of the case, he should have been inclined to treat captain Macartey with lenity, and perhaps to have consented to the release of his ship, upon bail, had he come into the court in that humble and suppliant manner, which became him. But as he had thought proper to bring the question forward in such a shape,—openly to avow the illegality of the transaction, at the same time that he claimed the release of his ship as an act of justice, Mr. Strettell conceived it to be his duty to resist the motion.

Mr. Smith, in reply, recapitulated the greater part of his former arguments, which were exclusively founded in the peculiar circumstances of the case, and had no relevance whatever to the general and undisputed doctrines of prize law. He was surprized to hear his client charged with contumacy, because he had candidly come forward and told the whole truth to the court, instead of giving in a garbled statement of his case. He had yet three days left to put in his answer to the monition, and Mr. Smith was not aware of any circumstance in the present motion, which evinced the smallest degree of disrespect towards the court. As to the case cited by his learned brother, in proof of the power of the marshal, it was a case of enemy's goods, imported on account of an enemy into the river Thames, and consequently

consequently liable to seizure, not only by a marshal of the court of admiralty, but any one of his Majesty's subjects. It bore no analogy whatever therefore to the case now in question.

Sir Henry Russel then delivered his judgment, in terms nearly to the following effect. When I took my seat as commissary upon this bench, I declared my intention of abstaining as far as I legally could, from any severe retrospect of the many irregularities, in the disposition of captured property, which, in consequence of the absence of judicial controul, had become so frequent in this part of the world—Assuredly, I will not depart from that declaration. *As far as I legally can*, I am ready to treat such cases with indulgence. Not however a single jot further. The present case is *primâ facie* a fit subject for very serious investigation. The ship is avowedly an uncondemned prize; and I take this opportunity of declaring my firm determination, that no uncondemned prize, which may come within the jurisdiction of this court, shall ever be allowed to pass out of it, until we shall have had some dealings with her. What the nature of those dealings may be will partly depend upon the circumstances of the case. In the instance now before the court, I am ready to admit, that there is no appearance of any illicit or fraudulent motives in the parties concerned. At the same time, I am by no means satisfied, that the ship could not have been brought to adjudication in this country. When she arrived at Penang, she was without masts. Might she not have been equipped with jury-masts, and sent over to Ceylon? There is no evidence here, to convince me that she might not. Instead of that, her papers are sent to England: and, in the mean time, she is put up to sale at the risk of the purchaser. It is somewhat extraordinary, that, after an interval of two years, nothing certain should be known of the proceedings that have been held upon her in England: and however much I may be disposed to treat the case with leniency, I cannot omit to notice the impropriety and illegality of thus bringing an uncondemned ship into the market. In this, as in every other such instance, the badness of the title must have been compensated by the lowness of the price. The rights of the crown may thus have been sacrificed to the private convenience of the captor: while the interests of all persons having claims on the vessel, if any such there were, must have been exposed to the most indefinite hazards. Such irregularities have been too frequent in India. I need not say, with what mischiefs they are fraught, or in what difficulties they are apt to involve all parties who are concerned in them. It was chiefly from a conviction of their general prevalence and evil tendency, that it was thought proper to constitute this court, and the other courts of vice-admiralty in India; and I have received the most positive instructions, and injunctions, without loss of time, to investigate and correct them. As to the right of the marshal to take possession of a prize vessel, without any warrant from the court, I apprehend there can be no doubt. For any vexatious detention, or for any detention obviously made with mercenary views, the marshal is strictly responsible, and will be called to a severe account by this court. But, on the other hand, in the vigilant exercise of his lawful functions, he is equally entitled to our

our protection and applause. In the present instance he did his duty in detaining the ship, in as much as she is an uncondemned prize, and, for that reason, liable to be seized, not only by the marshal of this court, but by the officer of the nature of the jurisdiction, which a court of admiralty is bound to exercise over uncondemned prizes. I shall read to you the opinion delivered by Sir James Mackintosh, soon after the opening of the admiralty court at Bombay. I read it, it is true, from a newspaper, where perhaps it may not be given with perfect accuracy. I fully subscribe however to all the sentiments which it conveys; if you please, you may consider them as my own. [Here Sir Henry read an extract from the speech of Sir James Mackintosh, on the occasion alluded to.] These are the sentiments of a lawyer, who has been more versant than most of us in the practice of the admiralty courts. They entirely correspond with mine, though I perhaps could not have expressed them so well. Upon the whole view of the present case, I am inclined to adopt a middle course. I will treat it with as little harshness as the law will permit. At the same time, I can upon no account consent to the unconditional release which is prayed for. I conceive that I exercise the utmost lenity which I am justified in exercising, when I direct the vessel to be restored to the plaintiff, upon his putting in bail to the amount of the original purchase money, an amount greatly below the present value of the ship. As the detention was perfectly regular and legal, I likewise conceive it equitable, that the marshal's expenses should be paid. With this proviso therefore I adjudge the vessel to be released, Captain Macartey giving security to the amount of 21,000 rupees, that he will abide the decision of the High Court of Admiralty in the case of the Batavia, should such decision have taken place, or if otherwise, that he will abide the decision of this court."

The court then proceeded to adjudication, in the case of the Danish ship *Maria*, taken by his Majesty's ship *Modeste*, captain, the honourable George Elliot, in the harbour of Serampore. The examination being read, and no claims appearing, either on the part of individuals or of the crown, she was condemned as a prize to the captors.

The next case was that of the French corvette *Jena*, likewise captured by his Majesty's ship *Modeste*. The court first passed sentence of condemnation on the ship, and then proceeded to hear various claims, preferred by individuals, to a quantity of dollars found on board, at the time of her surrender, which had been taken out of the ship *Swallow*, whom she had intercepted on her passage from Penang to Calcutta.

The first claim was that of Mark and Anthony Lackerstin, to a box shipped from Penang, containing the value of 4,000 dollars, in dollars and gold dust; the bill of lading, and affidavit of one of the owners was produced, in evidence of the identity of the box claimed.

Mr. Strettell, on the part of the captors, contended that the evidence of identity was not sufficient, —inasmuch, as it only went to prove, that a box of that description had been shipped at Penang, but did not, by any means, establish, that the same dollars and gold-dust had been conveyed, in the same box, from the *Swallow* to

to the *Jena*, and had arrived in the latter vessel at Calcutta. Besides, the bill of lading did not sufficiently distinguish between the value of the dollars and that of the gold-dust; and the only box at all answering the description, was marked with the letters M. A. L. instead of M. L. as specified in the bill. Mr. Strettell further expressed his doubts, as to how far the case of goods transhipped into an enemy's vessel could be considered as coming under the provisions of the prize act. The act, in ordaining the restoration of recaptured goods to the owners, seemed to identify the goods with the ship by using the phrase "ship *and* goods," instead of "ship *or* goods." And when it was considered that the rights of postliminium did not extend to goods by the Roman law; which, on all questions touching the jus gentium was the code chiefly observed by legislators, it might fairly be argued, that the phrase of the act had not been accidentally modified in that manner.

Mr. Lewin contended for the claimants that the identity of the box was as completely established as the circumstances of the case would admit. The whole of the treasure, with which the *Swallow* was laden, had been conveyed on board the *Jena*, and there was, therefore, the strongest primâ facie presumption, that it must have been conveyed in the *Jena* to Calcutta. If the opposite party had any doubts put upon the subject, he conceived that the onus probandi rested with them.

Sir Henry Russel. "Upon the point of law in this case, I conceive there cannot be the smallest doubt. None such, at least, exists in my mind. The spirit and purpose of the act is obvious. It is founded on this obvious principle, that the king does not make war upon his own subjects, and that their property, when found in the possession of an enemy, ought, therefore, to be restored to them. The evidence adduced in the present case appears to be, in some points, imperfect, and if prayed for, I shall order further evidence to be given in. I think that the letter which covered the bill of lading, ought to be produced in court, and likewise, perhaps, some specification of the weight of dollars and of the gold-dust, distinguished from each other. As to the difference between the marks on the box and those specified in the bill of lading, (a difference, which is common to this, with almost all the other boxes of treasure, found in the ship) it certainly is a very unaccountable circumstance. I entertain too high a respect for the character of British officers to admit a suspicion of marks having being altered subsequent to the capture of the *Jena*, and as the Frenchmen would naturally be anxious to preserve every thing in its proper state for the cognizance of their prize court at the Mauritius, it is not easy to discover any motives which could have induced them to make such an alteration.

Mr. Strettell stating that further evidence was prayed for, the captors being apprehensive, that the claims preferred would exceed the actual amount of the treasure found on board the *Jena*, the court accordingly directed, that further evidence should be given in.

The next claim was on behalf of Messrs. Barretto and Co. to a box containing 3,000 dollars. In this case the box was identified, and its transhipment from the *Swallow* to

to the *Jena* fully substantiated by the evidence of Mr. Dunbar, a passenger on the *Swallow*. The claims of Downie and Co. to a box of 4,000 dollars, of Fairlie, Gilmore, and Co. to one of 6,000, of Alexander and Co. to one of 1,500, and of Colvins and Bazett to one of 1,700, were likewise substantiated in a similar manner. In all these cases, the court adjudged restitution to the claimants, costs being, in the first instance, deducted, and then a salvage of one-eighth to the captors.

In the case of an Armenian merchant at Madras, who claimed a box of 1,600 dollars, further proof was required; as also in that of a native, on whose behalf Downie and Co. had preferred a claim of 2300 dollars, the box described having been found to contain the larger sum of 2,700 dollars. Mr. Dickens attempted to shew that the excess arose from several smaller sums, which he was likewise instructed to claim, having been added to the contents of the box. It appeared, however, that the addition of those sums would have swelled the amount to 250 dollars above the actual amount.

In the course of these discussions, it turned out, that the apparent change of the letters upon different boxes of dollars had arisen from the circumstance of people of the *Jena* having torn off the gunny bags which enveloped them. Mr. Strettell intimated an intention on the part of the captors, to appeal in all the cases, on the point of law.

On the motion of Mr. Smith, another uncondemned ship, the *Mary*, formerly the *Adele*, and now the property of captain Allen, was released, on the same terms as the *Baretto*.

The court adjourned to the 10th proximo.

Occurrences for DECEMBER.

Dec. 1.—The following is a detailed account of the rencontre between the fleet of China ships from this port, and the French armed brig Courier, near Pedro Branca. It is given in a letter from the commander of the Baring, to a gentleman of this city :---

"Canton, Aug. 15, 1808.

"My dear Sir,—In my letter from Penang, I told you of my intention to sail in company with the other two opium ships, Admiral Drury and Margaret, all the way to China. When we got to Malacca, I, with the commanders of the above ships, resolved to wait, and sail in company with four Bombay ships, we met there bound to China; and accordingly put ourselves under the orders of captain Colin Gibb, of the ship David Scott, who was the commodore of those ships; and although I was aware of the superiority of the Baring's sailing, and that consequently it would be a probable detention of perhaps two or three days in the passage, I thought it no object, compared to her safe arrival at the port in view; nor have I reason to regret, for had I sailed a single ship from Malacca, I should now, more than probable, be at Batavia, or the Isle of France. We had a very quick passage through the Straits, and anchored, on the 7th of July, at night, about six leagues to the westward of Pe-

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dro Branca. Just as we came to, I saw a vessel at anchor, (about five miles to the eastward of us) with my night glass, being a fine moon-light night. I amused myself with observing his motions, and saw him get under weigh about midnight, and stand out of the Straits, which caused some suspicion in my mind, of his intentions. Nothing was seen of him, till next day about ten o'clock, when we observed him under easy sail; and at noon he anchored. At one P. M. we all passed him within five miles, when I saw distinctly she was an armed brig, mounting 14 guns; her mast raking very much aft, a long jib-boom, with two jibs and a very large main-boom. She was deep waisted, and painted yellow on the ports,—streak fore and aft, taking in the galleries as it went aft,—with a white head;—her stern was painted black;—she is very low aft, and high forward, coppered up to the bends. As soon as we were all past him, and that he observed us well, he got under weigh, and followed us, evidently with an intention to cut off the rear ships, and, were it not for the cool and determined conduct of Captain Gibb, I am well convinced he would have succeeded in taking at least two of us, if not the whole. No man could have behaved better, or shewed more nautical skill than Captain Gibb did, on this occasion; and I regret extremely that my pen is unable to bestow on him the praise he merits. The thing speaks for itself, when I tell you, that on Gibb's hauling out of the fleet to chase this rogue (with the signal up for us all to lay too,) he hauled his wind and made off. Gibb chased him till sun-set, and then joined the fleet,---when we made sail in close order, and saw no more of him.

"We arrived at Macao on the 19th of July, at midnight, and landed all the opium in two days. Dirty weather prevented us from making more dispatch. I have delivered all the cargo, and for further particulars refer you to the agents.

"I am, my dear Sir,

"Your faithful servant,

"BENJ. FERGUSSON."

General orders, by the commander-in-chief, head quarters, camp Merat, 9th December, 1808.

The commander-in-chief, on occasion of reviewing the 6th regt. of Native cavalry, and the 2d battalion 10th regiment of Native infantry, in brigade, under the command of lieutenant-colonel commandant Marshall, yesterday evening, deems it only necessary to declare his approbation of what he saw of their formation and movements, and that he is satisfied from what he did see, that both these excellent corps are in the best order and discipline, for which he requests the lieutenant-colonel commandant will accept his thanks, and signify the same to the commanding officers of corps, to the European officers, and the several commissioned, non-commissioned officers and privates, composing them.

Extra batta to be served to the Europeans belonging to the detachment.

Detachment orders, by lieutenant-colonel commandant D. Marshall, commanding Merat, &c.

In obedience to the foregoing orders, the commanding officer signifies thus publicly his excellency the commander-in-chief's thanks to captain Houstoun, commanding the 6th Native cavalry, and to ma-

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jor Adams, commanding 2d battalion 10th regiment, and to all the European officers, as well as to the Native officers, and men of those corps, including the galloper and artillery details for their display of the "best order and discipline" at the review.

The commanding officer has constantly observed with pleasure the unremitting zeal and attention paid by major Adams, and captain Houstoun, to the internal economy as well as to the discipline of their corps, and from thence derived the most perfect confidence of the result which has proved so creditable to themselves, and so honourable to all.

The exercise of each corps judged of singly, the commanding officer never saw excelled, and their performance in brigade far surpassed any line exercise he ever witnessed.

The necessity for changing the dressing to the left when passing in review, leaving no aids to march on, together with the excessive dust which prevented the taking up points, would have caused incorrectness in troops less perfect; but with these, (like the exercise of a first line day, at a short warning) so far from being detrimental, served but to prove, that the utmost correctness was habitual to every individual, and might of itself have induced the epithet of "excellent" which the general has been pleased to honour the 6th Native cavalry, and 3d battalion 10th regiment with."

SUPREME COURT.

Dec. 10.---On Saturday last, the half yearly sessions of Oyer and Terminer, and general gaol delivery, were held at the new court house, before the honourable the judges of the supreme court,

The court being opened with the usual formalities, the undermentioned gentlemen, whose names were the first drawn, by the clerk of the crown, in the usual manner, from the whole number of those summoned by the Sheriff, to serve on the grand inquest, having retired from court, in order to elect their foreman, they returned in a few minutes, and were sworn in of the grand jury, as under; viz.

Alexander Colvin, Esq. Foreman.

J. W. Fulton,	John Hunter,
Alex. Wilson,	R. Macklintock,
Matthew Lumsden,	William Brodie,
W. L. Gibbone,	Thomas Hickey,
Ebenezer Jessop,	Richard Walpole,
John Corsar,	F. Lawrence,
John Mackenzie,	T. J. C. Plowden,
Archibald Kelso,	Thomas Yates,
J. J. B. Proby,	John W. Sherer,
J. N. Sealy,	F. Vansittart,
W. Hollings,	D. Campbell, Esq.

The gentlemen of the grand jury being sworn and called over, they received from Sir William Burroughs, an able and eloquent charge, of which the following is nearly a correct report:

"Gentlemen of the grand jury,

"Among the offences likely to come before you at the present sessions, there are very few upon which you can require the assistance of any particular observations from the court. From the informations returned by the magistrates, the cases, in general, appear to be such as many of you have been frequently called upon, in the capacity of grand jurors, to consider, and such as you can have no hesitation in saying ought to be brought to trial.

"You will be sorry to hear that three different murders are mentioned in the calendar; and that for fourth, you will have an indictment laid before you, in consequence of a duel between two military officers, one of whom unhappily

happily fell by a pistol-shot, which proved fatal at the place of meeting. The witnesses swear to facts, from which it must be inferred that the duel was premeditated. And if it was, I need scarcely tell you that the offence in the survivor, however great his provocation may have been, clearly amounts to murder.

"The practice of duelling, which has so long been a reproach to the superior orders of society, in almost every part of Europe, is, I am happy to believe, wearing gradually away. The professèd duellist in this country, I hope is utterly unknown, and has long been consigned, in every other, to all the infamy, which so brutal a character deserves. Duels instead of being now considered as any test of that true and genuine courage, which is one of the most noble qualities of the mind, are often fought, we know, by the cowardly as well as by the brave, and in almost every instance are justly ascribed to the unmanly fear of being thought afraid. Many naval and military characters of distinction, who have often risked their lives against the enemies of their country, have latterly rendered essential service to society, by bringing their challengers to justice, instead of agreeing to meet them in the field. And most men, it is to be hoped, will be at last convinced, that some better mode of redress, both for injuries and insults, may be found, than that which so absurdly, as well as criminally, is to depend on superior dexterity in using a pistol or a sword, with which in general, we find, the least respectable are most expert. Much already has been done by the general sense of society, and particularly of the first and best-educated orders among whom we scarcely ever hear of duels. Their own attention to good manners, and the certainty with which every one who violates good manners always finds himself excluded by them, are the principal means employed: and if those means were more generally adopted, and duels were as much discountenanced by others, as they are by the highest and most respectable ranks of life, there soon would be an end to this disgraceful practice, and to all necessity for the expedients that many men have suggested, for the purpose of preventing it.

"Still, however, it prevails, and destructive as it always is, juries too often, I fear, are induced to make more allowance than they ought for its influence upon persons in the rank of gentlemen; few of whom unhappily, have yet fortitude enough to disregard those false and sanguinary laws of honour, as they are called, that so frequently lead them deliberately to violate the laws of their country and the laws of God. By military men in particular this allowance, it seems, is most expected: and if it could be extended to any description of persons, they, it has been said, would have the most reasonable claim.---Their courage, they tell us, like the honor of a woman, cannot even be suspected, without deep injury both to their interests and feelings; and rather than submit to have it for one moment doubted, certain it is, that they often have reluctantly been driven to assail the lives of others and expose their own, even when the offence was in its nature trivial, and all resentment was at an end.

"But if it were necessary, gentlemen, to make any answer to such a claim, to a claim which produced

produced such deplorable effects, and which no man can admit, without justifying this destructive practice, and the murders that arise from it, it would be quite sufficient to remind you, that the most military governments of Europe have long been the most rigorous in the punishment of duels, and that when death ensues, they are classed with crimes of the deepest guilt, not only by our own laws, but by the concurring laws of every enlightened nation upon earth. In ours happily justice is always combined with mercy. And though I, for one, am perfectly convinced that homicide in duels has been much too frequently allowed to escape the penalty of the law, yet I am far from denying that on trials for this offence, as well as others, circumstances often may occur, which will justly entitle a prisoner to mercy, notwithstanding he appears in the unhappy situation of a man who has unlawfully deprived another of his life.---In every homicide there are different degrees of guilt, to which it is the peculiar duty and allow me to remind you the exclusive duty of the Court and Petty Jury to attend. And when a prisoner is brought before them upon such a charge as this, you cannot possibly suppose that any circumstance, which ought in justice to avail him, will ever be forgotten.---His conduct in the origin and progress of the quarrel, the provocation given; the interval which elapsed between the provocation and the combat; his profession and time of life; and that which is much more material, his general character, will always be considered ---And if it should appear that he was goaded by gross insults and imputation on his honor; that his resentment was not malignant or implacable; that the intervention of those friends, who so often prevent extremities, was neither neglected nor refused; that no unfair advantage was taken of his adversary at the time of fighting, or by previous practising to prepare for it, every allowance, which the public good could warrant, would be made by those, whose province it is to ascertain the degree of guilt, or mitigate the severity of law.

"But whenever it appears that in such material circumstances he was essentially to blame, he must stand condemned even by the mistaken rules of honor, which he pleads as his excuse, as no man, who regards the peace and happiness of society, could wish to screen him from the punishment, which the law denounces against his crime.

"But whatever may be the grounds, gentlemen, upon which any prisoner can hope for mercy, you, as grand jurors, never can be either authorized or competent to determine whether it ought to be extended to him or not. Your province is merely to determine, whether there be sufficient grounds for bringing him to that trial, by which his claim to mercy must be ascertained, and for that reason, you are confined to the examination of witnesses for the crown; and lest their testimony should be disclosed, you examine them in private, and without the assistance of the court. The whole merits of the case, therefore, can never be sufficiently before you; and even if they were, your throwing out the bill would be a very mistaken lenity to the prisoner, and might ultimately prove, in the highest degree, injurious to him, inasmuch as it would afford him no security

security against a new prosecution at some future day, when, perhaps, his witnesses might be dispersed or dead, and he might, consequently, be wholly unable to bring forward his defence. The verdict of the petty jury it is which affords him that security, in consequence of his being allowed by law, if he be acquitted of the whole or any part of the charge, to plead that verdict, for ever after, as a bar to any other indictment for the same offence. You will, therefore, I am persuaded, feel it to be your duty, gentlemen, to the accused, as well as to the public, to find the bill, and send him to his trial, unless you wholly discredit the witnesses for the crown when they tell you, that his unfortunate adversary has fallen by his hand.

" There is only one other case, gentlemen, upon which I think it at all necessary to observe. It is that of some persons who are accused of felony, in consequence of their having artfully contrived to obtain possession of some valuable pearls, under the false pretence, as it is alleged, of carrying them for sale into the interior apartments of a wealthy native's house, to the females of whose family they said they were related, and then suddenly disappearing by some private passage, and carrying off the property along with them.---To support the charge of felony, the law requires it to appear, that the real intention of the accused was to steal the pearls, and that such was their intention at the time of their obtaining possession of them, from the person in whose hands they were and by whom the prisoners were accompanied to the house in question. If the property in the pearls had been actually sold to the prisoners upon credit, and they had afterwards absconded without paying for or restoring them, however dishonest such conduct might appear, it would only amount to a breach of civil contract, for which no indictment could be maintained. ---But if there were no such sale, and their original intention was to steal, which, as the evidence stands on the information, there is great reason to believe, that the means which they adopted can be viewed by the law in no other light, than that of an artful contrivance to effect their purpose, and in that case certainly you ought to find the bill, and send them to their trial.

" On the general rules which the law requires a grand juror to observe, it cannot be necessary for me, gentlemen, to dwell; on a former occasion I stated them, and several of the reasons on which they were founded, very much at large; and most of you have frequently heard them from other judges of the court, in the course of your attendance to discharge the duties of grand jurors at this presidency, where those duties, to my own knowledge, have been, for many years, very honourably fulfilled. You will recollect, that though you need not be unanimous, yet you will not be warranted in finding any indictment or presentment to be true, unless twelve at least of your number shall concur in opinion for that purpose; and you also will recollect, that you are bound to keep your own secrets and the secrets of the crown.---You would betray your own, if you were to divulge the votes, or conduct of each other, on the different bills or presentments that may come before you, and you would betray the secrets of the crown,

crown, if you were to disclose the evidence in support of any criminal charge, without the previous consent of the crown, or sanction of the court.---The only reason for prohibiting the disclosure of such evidence is, to prevent its being counteracted by perjury, or subornation of perjury, on the part of persons to be tried; and therefore it is, that the crown may wave its privilege, and that the court may authorize the disclosure, where the purposes of justice may thereby be obtained. Such for instance, as conviction of a perjured witness, or the contradiction of one, whom any of you might happen to hear giving evidence before the court, different from that which he had previously given before yourselves.

"You are empowered, gentlemen, by law, to present any offence coming within your own knowledge or observation, although no bill of indictment at the suit of the king may have been previously laid before you, with respect to it. But whether you exercise that power, or confine yourselves to the consideration of indictments only, still you will remember, that you are not to exceed the jurisdiction of the court. Its jurisdiction, independent of that which it is empowered to exercise over offences committed at sea, in all quarters of the globe, extends not only to offences committed by any description of persons in Calcutta, but also to such offences as may have been committed by any British subject, or by any person or persons directly, or even indirectly employed, at the time of committing them, in the service of a British subject, or of the East India company, in any of the territories or possessions, over which this government immediately presides.

If, gentlemen, in the course of your proceedings any doubt or difficulty should occur to you, in point of law, it will be your duty to apply for information to the court, and I need not add, that you will receive every assistance that the court with propriety can give."

The first trial that came on, was that of captain William Sheppard, indicted for the murder of captain Phillips.

The prisoner was brought to the bar, and after hearing the indictment read, he pleaded NOT GUILTY. A jury was then impannelled; and the witnesses on the part of the crown were examined by the court.

Choytun, bearer, deposed,---that one day in the month of October last, about six in the evening, he was ordered by his master, captain Phillips, to bring him his red jacket, and to attend him with a lantern. It was then dusk. Captain Phillips mounted his horse, and attended by the witness with the lantern, proceeded out of the Fort, through the hospital gate, and rode towards the plain. A bearer in the service of Mr. Smelt likewise accompanied them. His master at length halted under a tree, the largest in front of the hospital, and ordered the witness to go to another tree at a short distance, where he should find a gentleman, to whom he should deliver captain Phillips's compliments, and say that he was come. He accordingly went to the tree, and found a gentleman, attended by a Portuguese servant and some bearers. The gentleman asked him who he was; and on his replying that he was captain Phillips's bearer, the gentleman mounted his horse,

horse, and accompanied by his servants, attended him to the spot where his master was waiting. Some conversation then passed in English, which witness did not understand. The strange gentleman dismounted, and after measuring twelve paces along the ground, called to his servant in the Hindostanee for his pistols, which the servant accordingly gave him. Captain Phillips's pistols had been carried by Mr. Smelt's bearer, from whom captain Phillips had taken one of them, while on his way across the plain. This pistol captain Phillips already held in his hand. By his master's order, the witness then placed the lantern on the ground, precisely in the middle space between the two combatants. Some conversation then took place in English which he did not understand, and his master immediately desired him to get away. He accordingly turned about, and was in the act of making off, when, in the same instant, he was stopped by the report of the pistols. From the loudness of the sound he believed that two had been fired, though the report was so simultaneous, that he could not distinguish them from each other. He immediately turned round and saw his master stretched on the ground. The other gentleman came up, and having felt captain Phillips's pulse, directed his people to place him in the palankeen. He then mounted his horse, and proceeded towards the Fort, followed by the palankeen and attendants. He first went to his own quarters, which he entered, and then returning immediately directed the bearers to carry the palankeen to Dr. Orr's. The gentleman, however, did not accompany them to Dr. Orr's, nor was he afterwards seen by the witness. In the course of these transactions the witness had no distinct view of the strange gentleman's face, nor should he now be able to recognize him if he saw him. The witness attended the palankeen to Dr. Orr's, who was not at home. They then proceeded to captain Phillips's own quarters, and set down the palankeen in the bottleconah. Presently the sirdar bearer came, and opening the door of the palankeen, found his master lying dead. The witness also looked into the palankeen and saw him dead. Upon this the sirdar bearer went to inform captain Phillips's friend, Mr. Smelt, who happened to be dining in the Fort. Mr. Smelt presently arrived, accompanied by several other gentlemen. They looked at the body, and perceiving it to be perfectly lifeless, ordered the servants to carry it up stairs and lay it on the bed, which they accordingly did.

In answer to a question from Mr. Strettel, counsel for the prisoner, the witness said that he did not know whether the strange gentleman, after their return to the Fort, went to call Dr. Cheese or not. In answer to a question from the bench he said, that he saw a wound in captain Phillips's forehead, and the blood streaming down his breast, while he was lying in the palankeen; though, in consequence of the hurry and confusion, occasioned by the accident, he had perceived neither, when he first went up to captain Phillips on the ground.

The next witness called, was Peter De Cruz, a Portuguese, steward to lieutenant-colonel Hardwicke. This witness deposed, that he had known captain Sheppard, the prisoner, for a considerable time, having seen him occasionally at

at his master's house. About a quarter past five o'clock, on a Saturday evening, in the month of October last, (the particular day of the month he could not specify) he received an order from his master to go to captain Sheppard, who had some business for him. He went accordingly, and was desired by captain Sheppard to attend him. Captain Sheppard then loaded his pistols in the presence of the witness, and directed the witness to put them into his palankeen, and likewise to get into the palakeen himself. Captain Sheppard then mounted his horse, and the witness followed him in the palankeen. It was now about six in the evening; the night had set in, and they had no lights with them. They proceeded out through St. George's gate, to a blighted tree near the hospital. There captain Sheppard dismounted, and ordered his syce to look under the tree and see if there was any person there. The syce did so but could find no one; captain Sheppard then said to the witness, "I am going to fight with a gentleman. You must observe and recollect what we both say." This was the first intimation of his purpose which captain Sheppard had given to the witness. In a few minutes after a lantern was seen coming across the ground. The mosalchee who carried it came up and said to captain Sheppard, that his master wanted him; captain Sheppard and his attendants then went, as related by Choytun, towards a green tree, close to Kidderpore road, where the witness saw a gentleman, whom he did not then know, but whom he afterwards learnt from the servants to have been captain Phillips. On going up to him, the gentleman accosted captain Sheppard, saying, "Is this your friend whom you brought with you?" meaning, as witness understood, the witness himself. To this captain Sheppard rejoined, "none of your insolence, Sir, upon the ground." The other servants were then ordered to go away, but the witness remained. Captain Sheppard measured ten paces, (not twelve as stated by Choytun.) Captain Phillips likewise paced over the ground, and, on his returning to his station, said, "It will do very well." Captain Phillips then asked the witness, "When the moon would rise?" to which he replied, "about eight o'clock." Captain Phillips then said, "moonlight or darkness it is all the same to me." Upon this captain Sheppard observed, "we shall be able to see each other's faces by the light of the lantern." To which he received for answer, "It will do very well." The witness was then standing between the parties, with the lantern in his hand. Captain Phillips asked his antagonist what was to be the signal; and captain Sheppard proposed, that it should be given by lowering the lantern. The witness accordingly stood by, with the lantern raised in his hands. He saw both pistols presented; and, as soon as the parties told him they were ready, he dropped it as directed. They fired precisely together; and at the same moment captain Phillips fell. The witness went up and saw that the bullet had entered his forehead. Captain Sheppard likewise came up and said, "are you hurt?" but captain Phillips neither spoke nor moved. The body was then put into the palankeen, and conveyed towards the Fort. The witness quitted it at the artillery barracks, and went home to colonel Hardwicke's.

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Mr. Strettel then asked the witness, whether the words used by captain Phillips, when he asked captain Sheppard, if he had brought his friend with him, were spoken in a taunting and insulting manner. To this the witness replied in the affirmative.

The next evidence adduced was Arthur Smelt, esq. of the honourable company's civil service.

This witness stated, that he had been intimately acquainted with captain Phillips; that their acquaintance commenced about six months ago, and that he knows of the difference which subsisted between captain Phillips and the prisoner at the bar. Being asked by the court whether he had ever interfered in the quarrel, he said, he had interfered a little, at captain Phillips's request. He waited on captain Sheppard, on the morning of the day, on which the duel was fought; but did not recollect particularly the conversation which passed. Captain Sheppard appeared to him so much enraged, and so much bent on meeting captain Phillips, that he thought it to be useless to make any attempt at reconciliation. On being asked by the court whether he had any reason to suppose that the wish for a meeting was mutual on the part of captain Phillips, the witness said, that he did not know.

Question by Sir Henry Russel. "In the course of your conversation with captain Sheppard, did you learn any particulars, regarding the origin or nature of the quarrel?"

Witness. "I think some particulars were mentioned."

Sir Henry Russel. "State to the jury what passed between you."

Witness. "I noticed to captain Sheppard some expressions, affecting captain Phillips's character, which captain Sheppard had uttered at general Baillie's table; to which captain Sheppard replied that he did not recollect having used any such expressions."

Sir Henry Russel. "It is of the utmost consequence that the jury should know the whole of the conversation which passed between you and captain Sheppard. You went to captain Sheppard; did you not? with the intention of endeavouring to effect a reconciliation. [The witness signified his assent.] It was a highly laudable purpose on your part. You have not yet stated, however, what proposals you conveyed to captain Sheppard, nor how you commenced your conversation with him on the subject of the quarrel."

Witness. "I told him that I waited on him, by captain Phillips's request, to say that, as captain Sheppard had sent him a challenge, he was ready to meet him. To this captain Sheppard replied, that he had not been able to procure a second; he had asked several of his friends to go out with him, but they had refused. I advised him by no means to go out without one."

On further interrogation by the court the witness said, that the only part of the conversation which he recollected, was that above noticed, touching the expressions used by captain Sheppard at general Baillie's table, which the witness stated to captain Sheppard to have been highly detrimental to captain Phillips's character. The expressions were to this effect:—"that captain Phillips's conduct in separating from his wife had been infamous."—The witness thinks that nothing further passed on the occasion.

Sir Henry Russel. "This is really

really very incomprehensible.—You are deputed by captain Phillips to wait upon captain Sheppard, in consequence of a challenge which captain Phillips had received from him.—You go to captain Sheppard, for the purpose of endeavouring to effect a reconciliation. And that instead of entering on the subject which had given occasion to captain Sheppard's challenge, your conversation is exclusively confined to certain expressions used by captain Sheppard, which were calculated to provoke a challenge from captain Phillips. Can you recollect nothing that led to the mention of these expressions? some other conversation must certainly have passed in the first instance."

Witness. "I have no recollection of any thing further."

Sir Henry Russel. "Did no conversation pass between you respecting the cause of captain Sheppard's challenge?

Witness. "I do not recollect any."

Sir Henry Russel. "You went to captain Sheppard with the view of endeavouring to make up the quarrel. Did you make any attempt to that effect?"

Witness. "Captain Sheppard appeared so much enraged, that I thought it would be to no purpose."

Sir Henry Russel. "This is all very unintelligible to the Court. From the whole evidence which we have heard hitherto, it would seem, that the provocation had been given by captain Sheppard. Yet captain Sheppard is the party who sends the challenge: and captain Sheppard appeared to you to be so much irritated, that you considered all attempts at reconciliation hopeless. From what did you infer, that captain Sheppard was in this state of irritation? Was it from his gestures or from his words? Did he say nothing, that could lead to guess the cause of it?"

Witness. "Captain Sheppard spoke of some aspersions which several gentlemen had circulated against his character, and which he said, he was determined to wipe off."

Sir Henry Russel. What was the nature of these aspersions? Did you understand that they affected his moral character, or his honour,—his character as a soldier?"

Witness. "I understood them to regard his honour."

The Court was proceeding with the interrogatories, when the witness was taken suddenly ill, and obliged to retire from the box. He returned however after a few minutes, and the examination was renewed.

On being asked, whether he had any reason to suppose, that the aspersions on captain Sheppard's character, above alluded to, had originated with, or had been circulated by captain Phillips, the Witness replied, that he did not know. He believed however, that they had come to the ears of captain Phillips, he thought he had heard them mentioned in captain Phillips's presence,—but could not say whether captain Phillips believed them. He was not acquainted with the cause of the quarrel, nor with the particulars of the aspersions thrown on captain Sheppard; neither had he seen the correspondence, which had passed between the parties.

Sir Henry Russel. "Did you mention to captain Phillips, on your return, that captain Sheppard disavowed any recollection of having used the expressions, at general Baillie's table, which had been imputed to him?"

Witness. "I did."

Sir Henry Russel. "Did captain Phillips

Phillips then desire you to go back to captain Sheppard, or did he take any other steps in consequence of that information?

Witness. "He did not desire me to go back, nor did he take any other steps that I know of."

The witness was then examined by the counsel for the prisoner.

Mr. Strettel. "Do you recollect having ever heard captain Phillips *speak lightly* of captain Sheppard?"

Witness. "I think I have."

Mr. Strettel. "Can you state what he said?"

Witness. "I cannot remember particularly. I have sometimes heard him mention captain Sheppard, and he certainly did not talk of him with much respect."

Sir Henry Russel. "This is not the question. You have just now deposed, that you have heard captain Phillips *speak lightly* of captain Sheppard. You can be at no loss to understand, what such a phrase implies;—more especially when the subject is a military one. Court wished to know, what captain Phillips said or insinuated, when he spoke lightly of captain Sheppard?"

Witness. "I think it was in allusion to some affair at Cawnpore, in which captain Sheppard had allowed himself to be insulted without resenting it."

Mr. Strettel. "Have you frequently heard captain Phillips talk in this slighting manner of captain Sheppard?"

Witness. "No—not frequently."

Mr. Strettel then produced in court two notes, (one of them a challenge,) addressed by captain Phillips to captain Sheppard, and handed them over to the witness.

Mr. Strettel. "You are acquainted, I presume, with captain Phillips's hand-writing? Do these notes appear to you to have been written by him?"

Witness. "I think they are his hand-writing."

Mr. Strettel. "Now that you have perused these notes, Sir, do you still retain your former opinion, that no provocation had ever been given by captain Phillips to captain Sheppard?"

Witness. "I believe the provocation was given by captain Sheppard."

Mr. Strettel. "Did you never hear any thing of this challenge having been sent by captain Phillips to captain Sheppard?"

Witness. "I recollect, on the morning of the day on which the duel was fought, that captain Phillips said to me, in allusion to the challenge, which he had received, that he was just about to have saved captain Sheppard the trouble, by sending a challenge to him."

Mr. Strettel. "Had captain Sheppard received the challenge, just at the moment you speak of?"

Witness.---"No; perhaps it might have been the night before."

Here the evidence for the crown closed. And the prisoner being called upon for his defence, Mr. Strettel, by permission of the court, read aloud the following paper:

"If your lordship please, and the gentlemen of the Jury;

"The very peculiar situation in which I was placed, was such, as to render it impossible for me to act otherwise than I did; and much as I regret the consequences which followed, I could not, consistently with the character of an English officer, tamely submit to the imputation, that, after having slandered the reputation of another, I refused that satisfaction, which captain Phillips exacted.

"Captain

"Captain Phillips's letters have been produced, and I shall make no other comment on them than to remark, that those letters could not fail to hurt the feelings of the most moderate man; they were followed up by other acts, irritating in the highest degree, and ultimately ended in the unfortunate manner, which is in evidence before the court.

"Gentlemen, I do solemnly protest, that I never harboured any of that malice or revenge, which makes the lives of our fellow creatures an object of indifference to us, against any human being,---much less, against captain Phillips, with whom I was not much acquainted, and had no cause for hatred.---Had I submitted to the disgrace of being insulted with impunity, I must have yielded to the resolution of parting with every thing that renders life not only comfortable, but tolerable; I should have lost the respect of every officer in the army, and have incurred the derision and contempt of those, with whom I am not acquainted, together with the indignation and scorn of those with whom I had lived on terms of intimacy and friendship; I should have been considered a reproach to my profession, and a disgrace to my family.

"Reposing the utmost confidence in the wisdom of the court, and the justice and feeling of the jury, I shall leave my case in your hands, convinced, that it will receive every possible favourable construction, which, in justice, may be due to it: at the same time, I solemnly protest, that nothing but the irritation excited by such unworthy conduct of the unfortunate deceased could have induced me to meet him in the manner, which has unhappily produced the present trial."

Mr. Strettell then said, that he should rest his client's defence on the notes already produced, one of which was a challenge from captain Phillips, and the other a note of a very irritating description, which had evidently been written subsequent to the interview beween Mr. Smelt and captain Sheppard, as it contained an allusion to what captain Sheppard had said on the subject of the expressions which he was charged with having used at general Baillie's table, and declared captain Phillips's continued belief in the truth of that charge. The only witness whom he thought it necessary to call, was general Baillie, who would give testimony to the character of the Prisoner.

The notes were then read aloud to the court; and Sir *Ewen Baillie*, was called in and sworn. He stated, that he had known captain Sheppard for four years past, during three of which he had been his aid-de-camp; that he had every reason to approve his character and conduct during that period; and that he considered his disposition to be perfectly mild and inoffensive.

The evidence being thus closed, sir Henry Russel addressed the Jury, nearly to the following effect:

"Gentlemen of the jury,

"The case before you is a case of duel; of an unlawful meeting between two gentlemen, for the decision of a personal quarrel, terminating fatally to one of the parties. The crime of killing in duel is declared by the law to be MURDER. It possesses all the requisites which, in the eye of the law, are necessary to constitute murder; inasmuch as it is quite distinct from any sudden impulse of passions as it presupposes something of deliberate arrangement, and is, in its very nature, a premeditated

ditated act. At the same time, in compassion to human infirmity, courts of law and juries have been in the habit of making great allowances for the circumstances, in which a person called upon to fight a duel may have been placed. When a fellow creature is put to death, from motives of deliberate malice, the law pronounces the crime to be murder; when the same act is committed, under the immediate influence of violent passion, it is merely accounted manslaughter. ---Now, in the case before you, it will be for you to consider, whether the present circumstances of society, as applied to a gentleman and a soldier, do not take away the particular character of malice from the crime. A man is placed in a situation, where, if he does not go out to fight a duel, he has no prospect before him in life, but that of contempt and ignominy. Surely, the feelings which are inseparable from such a situation, may be supposed to deprive a man of self-possession and self-command, as well as a violent gust of passion. And, I see no reason why the law should deny, nor do I believe *that the law does deny*, the same indulgence to those feelings, that it yields to a brutal impulse, which it is the chief object of all human and divine institutions to controul. In declaring this opinion, I believe, I go further than most judges have done. But I have not formed it without mature deliberation. And I think it places the question of law, in cases of duel, upon more stable and more tenable grounds, than the shifts and artifices which have been so generally resorted to. Where it clearly appears in evidence, that two persons armed with weapons, have gone out together,---have fought, and that one of them has fallen, nothing more surely can be wanting to make out the facts of the case, and it is vain to struggle against them, or to seek to prevent them."

Sir Henry then went on to sum up the evidence. In reciting the circumstances brought to light, by the first two witnesses, he remarked, that both parties, when on the ground, appeared to have been equally eager and determined; and that, after the fatal event, the conduct of captain Sheppard in remaining by the body of his opponent, accompanying it to the fort, and directing the servants to carry it to Dr. Orr's, was exactly what it ought to have been. Sir Henry then particularly dwelt on the insulting conduct of captain Phillips on the ground, in asking captain Sheppard, whether a black man, who accompanied him, was his friend, and on the irritation which such a question was likely to produce. As to the fact of the duel, Sir Henry then observed, the evidence was quite conclusive. The next point to be considered, was the quarrel, which had led to it. Upon this head the jury had the evidence of Mr. Smelt, which was so incoherent and unintelligible, that he was entirely at a loss how to sum it up. From the whole, however, it might be collected, that aspersions against captain Sheppard's character had gone abroad; and after much questioning, it had at length been directly admitted by the witness, that captain Phillips had spoken lightly of captain Sheppard, in allusion to circumstances in which his reputation as a man of honour and courage was particularly implicated. Aspersions upon such points were of all others the most dangerous,—and more particularly so, when applied to a soldier. In so strong a light

light was Sir Henry disposed to regard their tendency, that he was almost ready to go along with the whole substance of captain Sheppard's defence, and to allow, that if he had tamely submitted to them, he could never afterwards have held up his head in society. That the aspersions were peculiarly galling and contumelious, might be inferred from the agitation, which Mr. Smelt describes them to have excited in captain Sheppard, at the time of their interview.—The learned judge then proceeded to remark on the second letter produced in court, which captain Phillips had written after the conversation between Mr. Smelt and captain Sheppard. He forbore to comment further on Mr. Smelt's evidence---as being a task equally useless to the Jury and unpleasant to himself. But he conceived they would be amply warranted, from a view of the whole, in regarding the crime of captain Sheppard as the same with that of a man who inflicted death on another, under the influence of violent passion; and he was fully satisfied, that the indulgence granted by the law, was applicable to the one as much as to the other.---He was moreover disposed to give very considerable weight, in the determination of the case, to the testimony of Sir Ewen Baillie, who spoke positively to the mildness of the prisoner's disposition, and who seeing that the prisoner had so long held a situation in his family, must have spoken from the most thorough knowledge of his character.---Sir Henry then concluded by saying, that all these mitigating circumstances appeared to him to reduce the crime to manslaughter; but further than that, he feared, the jury would not find themselves entitled to go.

After a few minutes deliberation, the jury accordingly returned a verdict of manslaughter.

The prisoner withdrew, and shortly afterwards, to the astonishment of the court, one of the jurors rose, and said, that he dissented from the verdict, being of opinion that the prisoner ought to have been acquitted. He and two others of the jury further declared, that they had not been called upon to give their voices, previous to the return of the verdict. After some consideration, the prisoner was remanded to the bar, and the judges delivered their opinions separately. It was unanimously decided, "that a verdict once recorded, could not be touched by any subsequent declaration of a juror."

Dec. 17.—At a meeting of the proprietors of the *Bank of Bengal*, held on Thursday last at the Bank, the following gentlemen were elected directors.

A. Colvin, esq.
J. Palmer, esq.
J. Alexander, esq.
George Tyler, esq.
J. W. Fulton, esq.
Rajah Sookmoy Roy.

Dec. 27.---The hon. Mr. Elphinstone and his suite are arrived within the dominions of Sultan ul Moolk, King of Cabul. Letters were received in town on Saturday from his camp, dated on the 30th ultimo, from near Bhawelpore, on the left bank of the river Garrah. They had crossed the desert of Beykaneer, in a march of eleven days,---during which time the escort had undergone considerable fatigue and privation. They had suffered more especially from the scarcity and badness of the water, which are said to have proved fatal to a considerable number of the camp followers. They had experienced a most honourable and hospitable reception from the Rajah of Bhawelpore, a tributary of Cabul.

MADRAS

Occurrences for JUNE, 1807.

June 4.—His Majesty's birthday was celebrated with the usual honours. In the evening, a ball and supper was given to the settlement by the right honourable lady William Bentinck.

June 10.—The unmanly and cowardly act of which M. Moreau and other officers of the French national frigate, Piedmontese, were guilty, in having stabbed captain Larkins, and one or two of his officers, as they were quitting the Warren Hastings, after a spirited and gallant resistance against a superior force, has been officially noticed in terms of merited reprobation. An instance, though not of equal atrocity, yet of a description which cannot fail to create the strongest sentiments of abhorrence at a conduct so cruel and unjustifiable, has recently come to our notice, and which we think it a duty to publish to the world; and which we shall consider it equally our duty to contradict, should the fact have been untruly stated. The Travers and Lushington arrived at Bombay, have brought from the Cape a number of our lascars, (native seamen) who were taken in the Brunswick, and whom admiral Linois had sold as slaves at the Cape!!

June 20.—Anchored in the roads his Majesty's frigate *Modeste*, honourable captain Elliott, from England, 14th February, and the Cape 18th May. On this ship arrived the right honourable lord Minto, governor-general of India, and his staff, consisting of Mr. Moir, private secretary, captain Taylor, and captain ———, aids-de-camp—and doctor Buchanan, his lordship's physician. Early in the morning of the 21st, his lordship and suite landed, under a salute due to his rank, at the sea-gate of the fort, and walked through a street, formed by the troops in garrison, attended by the right honourable the governor, commander in chief, members of council, and staff of the garrison, to the Wallajah gate, whence he, and his attendants, proceeded in the carriages of the governor, commander in chief, and council, to the government-house. On the 23d, lord Minto paid a visit to his highness the nabob, which was returned on the 25th, on which day the governor-general held a levee at the banqueting room, which was attended by all the gentlemen of the settlement.

June 30.—The Bombay and China ships, in passing through the Mosambique, had a very fine opportunity of ascertaining the situation of the island of Juan de Novo; the Scaleby Castle passed round it within a very small distance from the shore. Its lat. and long. by a mean of observations are 70° 5′ N. 43° 2′ East.

Extract of a letter from captain George Bell, commanding his Majesty's sloop Victor, to rear-admiral Sir Edward Pellew, bart. commander in chief of his Majesty's squadron in the East Indies, dated Port Cornwallis, Prince of Wales's Island, 22d May, 1807.

"Your excellency has, undoubtedly,

edly, ere now, received one of my letters respecting the capture of four brigs out of Batavia roads.

"Off Cheribon, (a little to the eastward of Batavia) on the 15th of April, we chased and brought too three prows under Dutch colours, at 5 P. M. on its falling calm, anchored, out boats, and sent them armed to bring the Prows alongside, two were brought to the larboard side, the other hung on the quarter, got the prisoners out of the two alongside, (amounting to near 120) and placed a strong guard over them, under the direction of lieutenant Wemyss, as I intended sending them away after overhauling their cargoes.

"Lieutenant Parsons had been on board the Prow on the quarter, but returned with his people, on finding it impracticable to get the crew from below, I instantly ordered her to be hauled close up under the quarter, fired a carronade into her and musquetry, which they returned by throwing spears, and firing pistols, &c. got a gun out of the stern ports and fired into her, the sparks of which most untunately reached some powder (which must have been carelessly handed out of some of the Prows) abaft, and blew the after-part of the ship up: at this alarming moment the guard over the prisoners dropt their arms, and ran to extinguish the fire.

"The prisoners instantly seized their arms and picked up several spears and knives which had been thrown on board, and attacked the ship; by this time (8 P. M.) the fire, most providentially, by great exertion of officers and men, was got under. Prows cut adrift, and the attention of all hands directed to the defence of the ship, which was admirably performed, for, in little more than half an hour, eighty of them lay dead, in a most mangled state, the rest driven overboard; but sorry am I to add, not without a severe loss on our side, including those blown overboard, and those who have since died of their wounds, a list of which I herewith enclose for your excellency's satisfaction; amongst the killed is lieutenant Blaxton, who had a spear through him, accompanying me in the waste; he died most gallantly."

A list of the killed and wounded on 15th of April, 1807.

Killed.---Lieutenant H. Blaxton, and five seamen.

Wounded. — Captain G. Bell, Thomas Coultherd, gunner; 1 serjeant of marines, 1 private do. 22 seamen.

Serjeant of marines and 8 seamen since dead of their wounds.

A true extract,

EDW. HAWKE LOCKER,

Sec. to his excellency.

Occurrences for JULY.

July 10.---On Friday morning, at sun-rise, the troops in garrison, consisting of his Majesty's 94th regiment 2d battalion, 8th N. I. 1st battalion, 20th N. I. and 2d battalion 25th, the governor's body-guard, and the horse artillery, were reviewed on the island in presence of the right honourable lord Minto, governor-general, the right honourable lord W. Bentinck, and his staff, his excellency the com-

manerd

mander in chief, and his staff, generals Campbell, Sir W. Clarke, and Pater, and a numerous retinue of other officers. The troops were commanded by major-general Fuller, and performed the various evolutions of the field to the entire satisfaction of the governor-general, as expressed in an order transmitted by him to major-general Fuller, after the review.

General order by Lord Minto, after the review of the 10th instant.

" Lord Minto cannot refuse himself the gratification of expressing to major-general Fuller, the great satisfaction he experienced, in observing the excellent order and appearance of the troops which he had the honour of seeing yesterday under his able command. The promptitude and correctness with which every part of the manœuvres were performed by every corps assembled on that occasion, while it does honour to the skill and discipline of the soldiers, cannot but reflect the highest credit on their officers of every rank.

" In presenting very sincerely to major-general Fuller this testimony of his esteem for the troops, lord Minto takes the liberty of requesting that his sentiments may be conveyed to the several corps, in the manner which the major-general judges most proper.

" Government Gardens,
11th July, 1807."

Occurrences for AUGUST.

Aug. 1st.--- In the neighbourhood of Vitzagapatam, and to the northward of that place, considerable rain has fallen.---Private letters mention that the country is completely under water from four days successive rain.

The differences between the British supercargoes and the government of Canton, are in a friendly course of adjustment. The affair had been already so far accommodated, that the Neptune, with whose crew the fracas accidentally happened, from which all the mischief arose, was allowed to complete her cargo, and to leave China with the other homeward-bound ships.

One of the crew however was left with the chief Supercargo at Canton, until the final adjustment of the dispute.

Subsequent accounts state, that intelligence had reached Penang, that the late differences between the British subjects in China, and the government of Canton had been most satisfactorily adjusted.

Aug. 10.---A new Native Poor Fund has been established, which is calculated to enlarge and perpetuate the advantages, of the institution, under a similar description, long established at this presidency. What the uses and objects of the old, and the benefits to be expected by the new fund, may be collected from the report of the committee, describing the nature, and detailing the transactions of the institution.*

* This is inserted at length in the Appendix.

Occur-

Occurrences for September.

Sept. 13---The gentlemen of the honorable company's service, and inhabitants of Madras, attended at the parade in Fort St. George, on Saturday morning last, at half past 6 o'clock, where the chief secretary to government read the resolution of the honourable the court of directors for the appointment of the honourable William Petrie, to the provisional government of Fort St. George.

The event was then announced by a salute of 19 guns from the batteries, and three rounds of musquetry from the troops of the garrison, assembled on the parade in honor of the occasion.

On Saturday last, a salute of 17 guns was fired from the ramparts of Fort St. George, on the arrival at the presidency of lieutenant-general M'Dowall, commanding the centre division of the army.

To the Right Honourable Lord William Cavendish Bentinck, &c.

My Lord,—We the undesigned inhabitants, such as cultivators, merchants, traders, artificers, manufacturers, mechanics, &c. residing at the presidency of Fort St. George and its environs, beg leave to express the regret we feel at the sudden departure of your lordship from the government of Madras, as well as the loss of those blessings derived from the protection, security, and tranquillity we have so long enjoyed through the medium of your kind patronage, and beyond measure your lordship's government and administration of justice has been ever mild, wise, and regular, in that you have been pleased to adopt every measure for our security and welfare in every instance, and particularly in your having purchased and laid up in store a large stock of grain for our subsistence, and likewise your having liberally and charitably extended relief to the poor inhabitants of this country in the time of calamity and famine, by taking such timely precautions, and effective steps, as greatly alleviate the distress, and saved us from the horror, of a most grievous famine both here as well as the interior country---which would otherwise have destroyed many thousands of the inhabitants for want of this most necessary article of life; we therefore humbly consider your lordship as an instrument, under God, ordained for the protection of us, at this part and other places in the peninsula, and are deeply concerned, and are impressed with the utmost sorrow at your Lordship's premature departure for Europe.

And therefore we humbly request your lordship will be pleased to accept our warmest thanks, expressive of the gratitude we owe for such your lordship's munificence, charity, and benevolence, during your lordship's government, earnestly wishing that the Almighty God may render you a prosperous voyage, and safe return to your native country, whose arms will be extended to receive you, with every mark of joy; and may he also bestow upon you all manner of happiness both in this and the world to come, is the humble prayer of, My Lord,

Your Lordship's most obedient, humble servants.

[This address was signed by about three thousand principal native inhabitants.]

Madras, 28th September, 1807.

Lord

Lord William Bentinck's Answer to the Address of the principal Native Inhabitants of Madras.

Your address is highly gratifying to my feelings. It convinces me that the government over which I have had the honour to preside, has not entirely failed in the discharge of the important duties entrusted to them. Let me not, however, assume more merit than may be due. It is not any particular disposition of my own, to humane and charitable actions, which entitles me to your good will. It is the occasion of a great scarcity which has enabled me to manifest the real principles and intentions of the British government. The orders of my superior authority are—

1st. To protect the free exercise of all religions, and to support pagodas and mosques, with the establishments belonging to them.

2dly. To protect all the subjects of the provinces from the incursions of plundering horse, and of gangs of robbers by which they had been infested.

3dly. To protect every man's person and property by the general introduction of impartial laws.

4thly. To punish every one, both high and low, who in violation of those laws should dare to lift up his hand against the government, or his fellow creature.

5thly. To receive petitions from all ranks of people, and to attend to their reasonable complaints.

6thly. To treat the princes, allies of the company, with good faith, kindness, and respect.

7thly. To maintain obedience among the European and Native troops, to behave to them and to all others, servants of the company, with justice, to recompense extraordinary services, and to support them in infirmity and old age.

8thly. In cases of public distress, either from famine, or any other cause, to cherish and feed the poor and hungry.

These are my orders; you seem to think that I have executed them. Though imperfectly, I have done so with my best endeavours, and I leave this government contented and happy.

I will now earnestly recommend, that whatever changes take place, you will never cease to confide in the goodness of the honourable company, and in the disposition of the local government, cheerfully to execute their benevolent intentions,---and I leave you with a sincere belief that you will not have less reason to be pleased with my successor than with myself.

I have now only to bid you farewel, I am, and ever shall be, deeply interested in your welfare, and I trust the Almighty Power will bless you with plenty and happiness.

Monday, 28th September, 1807.

Sept. 30.—The 23d of September being the anniversary of the battle of Assaye, the officers of the 33d regiment gave a splendid dinner in the regimental mess-room at Hydrabad, in honor of their colonel, Sir A. Wellesley, to the resident and suite, the commanding officer of the subsidiary force, general staff, and heads of corps and departments. A grand march, composed by captain Sydenham, to be called Sir Arthur Wellesley's march, was played, for the first time, by the band of the regiment.

Occur-

Occurrences for OCTOBER.

October 7.—On the 4th instant, arrived his Majesty's ship Psyche, Fleetwood Pellew, esq. captain. The ship, during her cruise, has destroyed two Dutch vessels, and captured three others; one of which is a corvette mounting 24 guns, and which the Psyche has brought into the roads with her; the other two prizes are hourly expected.

The Dutch officers had French commissions, and wore the French uniform.

The following is an official account of the success that has attended this enterprising officer :---

Psyche, at sea, off Java, Sept. 3, 1807.

Sir,---I have the honour to acquaint you, that, proceeding in the execution of your orders of the 18th June last, his Majesty's ships Psyche, and Caroline, on the 29th of August, reconnoitred the port of Lourabaya, and, by a ship from Batavia, captured the following day, ascertained the situation of the enemy's line of battle ships, which are still inactive there, and represented as being in too bad a state to admit of repair.

As our success in a great measure depended on the intelligence the enemy might receive of our appearance on the coast, not a moment was lost in proceeding to Samarang; off which port the Psyche was enabled to anchor, at midnight, the Caroline having previously parted company in chase by signal; at day-light I weighed and stood into the roads, when the boats were dispatched under the direction of lieutenant Kersteman, assisted by Mr. Charles Sullivan, to attack and bring out the enemy's vessels there; this service was completely effected, in a manner highly creditable to the officers and men employed on it, the boats having taken possession of, and towed out from under a heavy fire from the batteries, an armed schooner of eight guns and a large merchant brig. The early part of the morning had discovered to us two ships and a brig at anchor outside, and from one of them having the appearance of a ship of war, not a doubt was to be entertained of their being enemies. To be ready to take advantage of the first setting in of the sea-breeze, the captured vessels were destroyed, and before noon his Majesty's ship was clear of the harbour in chase of the enemy, whose vessels had weighed and stood to sea.

I soon had the satisfaction of finding, that the good sailing of his Majesty's ship afforded me a fair prospect of closing with the ship of war, and at 3. 30, finding us fast coming up with them, they all bore up and ran on shore, about nine miles to the westward of Samarang; opening, at the same time, a well-directed fire on us, which, on our anchoring in three fathoms water, was very smartly returned, though apparently without much success, the shoal water preventing my closing as near as I wished. In a few minutes the armed ship struck, and at thirty minutes past 4 P. M. as I was preparing to hoist the boats out, with an intention to attempt taking possession by boarding, the ship of war surrendered; the brig shortly afterwards fired a broadside, and hauled down her colours. On being

being boarded, they proved to be the Resolutie, armed merchant ship of 700 tons, with a valuable cargo, having on board the colours and staff of the 23d European battalion, in the Dutch service; the Ceres, a remarkably fine brig, in the Dutch company's service, of 12 guns, and 70 men, a month from Batavia, under the convoy of the Scipio corvette, of 24 guns, and 150 men; the latter had sustained very considerable damage, many shots having passed through her hull, her rigging much cut, and her commander, Monsieur Carrega, mortally wounded.

I am happy to add that they were all got afloat the same night, without injury, by the persevering activity of my officers and men.

On the 1st, the Caroline not having joined, and the ship's company considerably reduced by the absense of three officers and fifty men in the prizes, I was induced to accede to a proposal made by the governor of Samarang, for allowing the prisoners to go on shore, the officers signing their parole, and proper receipts being given for the soldiers and seamen.

I cannot too highly praise the zeal and activity displayed by the officers and men I have the honour to command, on the whole of this service, and I regret that the force of the enemy did not afford a fuller scope to their exertions.

I have the honour to be,
Sir,
Your most obedient
humble Servant,
(Signed) FLEET. B R. PELLEW.
(A true copy.)
EDWARD H. LOCKER,
Sec. to his Excellency.

To his Excellency Sir E. Pellew,
Bart, Rear-Admiral of the Red,
and Commander-in-Chief, &c.

Oct. 7.—For several evenings past an unusual luminous appearance, supposed to be a comet, has been seen in the west. It disappears about 8 P. M. Its progress is rapid, and it seems to be fast approaching the sun.

Oct. 14.—The comet which has appeared for several evenings back, is receding both from the earth and the sun; the former is evident from the body of the comet being seen through the transparency of its tail, and the latter by measurement. By a Theodolite its magnetic bearing and altitude were nearly as follows:

October 5th, at 7°. 20′ mean-time, P. M. it bore by the N. 83° 45′ W. and its altitude was about 17° 35.′

It therefore approaches the pole at the mean daily rate of 1° 35′— The tail has much the appearance of the Milky way, and is quite transparent, as a fixed star was distinctly seen on the 5th, through its upper extremity.

Royal Tiger.---In the forenoon of the 1st instant, a royal tiger made his appearance in the cantonment at the mount, when he was pursued by several artillerymen, and ascended the mount, where he was wounded by a fuzil ball, which irritated him much, and in his passage across the mount, he struck two natives, one of whom is now lingering with a lock jaw, the other not materially hurt. The tiger then crossed the outer mount, when he was attacked by an inconsiderate European, armed only with a stick, this man was torn by the paws in his face, and bit severely in the thigh---he is however doing well. Several fruzil balls being fired into the animal, he was killed, and triumphantly brought into the cantonment on a cart. He measured from the

the head to the end of the tail, near ten feet, and in height near five feet. The tyger was seen by villagers the night before, a few miles to the southward of the mount. This is the first instance of a royal tiger being seen in that cantonment.

Extract of a Letter from Vizagapatam, dated October 8, 1807.

A bark hovered off here all this day, made sail towards the road, brought to, fired two guns and sent a boat on shore; proved to be the Bark Hunter, taken off here by the Ravenent, captain Surcouf, on the 6th instant; he gave her up, saying she was not worth sending to the island. The officer reported he had taken the Amiral Aplin, Mangles, Susannah, Trafalgar, and another, name forgot, and was on the 6th in chase of another vessel going to the Sand Heads. He said he was in no fear of any of our frigates taking him but the Caroline.

Surcouf left Toulon 4th March, the Islands 4th September, and his crew consisted of 120 men.

Surcouf, who is the brother of the one formerly in these seas, behaved with the greatest kindness to his prisoners, having given them up every thing except their swords; he took the parole, and lieutenants Mackenzie and Macdonagh have since arrived at Madras.

Extract of a Letter from Calingapatam, dated 7th October, 1807.

We beg leave to inform you, that we are in the roads, having been put on the Paia, just arrived, by captain Epton, of the French frigate Piedmontese, yesterday at ten A. M.---We enclose you a list of the vessels captured by that ship, and the names of the commanders, and request you will have the goodness to send boats for us. The Piedmontese was in sight from us this morning, bear about N. E. by N. We further beg leave to inform you, since we were captured by her, she has been cruizing between the lat. N. 17, and N. 18. 36, and was three days close in with Vizagapatam, and captured a Danish ship off that port, near enough to have been seen by those on shore; the frigate had English colours flying at the time, and captured all ships except the Udny under that flag. The Piedmontese is a frigate of the largest dimensions although she has the appearance of a vessel of much less force. On leaving the Isle of France she had four hundred men, but from manning the different prizes she has now about three hundred and twenty, exclusive of the Portuguese, taken from the different ships that have entered, or had been pressed into the service.—There is also a privateer commanded by Surcouf, now in the bay, that is reported to sail uncommonly fast. Two frigates are expected at the Isle of France of similar dimensions to the Piedmontese, called Le Italienne and Le Sultan.

One Native vessel, named the Calcutta.
Caroline, Captain Eggleston.
Sarah, Captain Henderson.
Maria, Captain James, died on board the frigate, on the 29th of September.
Eliza, Captain Sparkes.
Udny, Captain Wallis.
Danesburgh, Captain Winter.
Highland Chief, Captain Makepeace.

Oct. 15.—The Clyde has arrived at this port, having picked up part of the crew of the Admiral Aplin, captured by the Piedmontese, that were in boats; the Admiral Aplin having foundered at sea, with three other ships, names unknown.

Oct.

Oct. 21.—His Majesty's frigate Greyhound, Captain Troubridge, had arrived, at the Isle of France, under a flag of truce, to enquire after the fate of the Blenheim and Java; his flag has been respected by General de Caen, who, unable to afford him any other intelligence of these ships, save that general report stated them to have foundered off Madagascar, gave him an order, addressed to all persons under the denomination of the French government, directing them to impart to Captain Troubridge all they might know concerning the vessels, and to afford him every facility during the continuance of his cruise in search of his father.

The natives of Madagascar had given, it appears, a very correct description of the Blenheim, and of the repairs which she received while laying off the island, as well as of the person of her late gallant, but unfortunate commander. So that there is not the least doubt of her having been off the island,--- though no further accounts have been heard of her.

Occurrences for November.

To the Honorable W. Petrie, Governor in Council, Fort St. George.

The memorial of the undersigned field-officers of his Majesty's service, (serving under the presidency of Fort St. George) whose commissions of colonel have been cancelled,

Sheweth, That your memorialists, while they admire the liberal principle manifested by his Majesty's late regulations towards the honourable company's service, cannot but behold with regret, that the colonels of the honourable company's service, whose commissions have been cancelled, are at present permitted to draw the pay and allowance they formerly did, (being colonel's full batta) while many of your memorialists are in command of regiments, drawing major's and lieutenant-colonel's half-batta only.

Your memorialists have to observe, that while serving in Europe, their holding Brevet rank entitles them to many advantages that in this country they are deprived of.

Your memorialists, when they contemplate that your honour in council has so perfect a knowledge of India, are confident that credit will be given them, that animated zeal has invariably marked the active operations of his Majesty's arms; and that your memorialists shall not be found less deserving the protection of the honourable company, than officers of equal rank in their own.

Should your honour in council not deem it within your powers to redress the grievances complained of, your memorialists request that this memorial may be forwarded by the first convenient dispatch, to the honourable the court of directors; and if not there redressed, that it may be laid before his most gracious Majesty in council.

Copy of a Letter from his Excellency Lieut.-general Macdowall, which accompanied the Memorial, to the Honorable W. Petrie.

Madras, Nov. 17, 1807.

Sir,—I am impelled by duty and inclination to support and recommend

commend every representation which comes from such repectable persons as the lieutenant-colonels, whose names are subscribed to the accompanying memorial; and I have the honour to submit it to your consideration.

I have the honour to be, Sir, &c.

(Signed) HAY MACDOWALL.

The following is the answer transmitted to the above :---

Military Department.—Par. 1. The honourable the governor in council having taken into consideration the memorial recently submitted to him by certain field-officers of his Majesty's service, on the subject of their allowance; I am directed to acquaint you, that a compliance with this request has been deemed incompatiable with the orders of the honourable court of directors.

I am further directed to acquaint you, that the governor in council does not perceive any just ground for recommending the memorial to the favourable consideration of the honourable court.

I have the honour to be, Sir, &c.

(Signed) G. STRACHY,
Secretary to Government.

To Lieut.-general Macdowall,
Commander in Chief.
Fort St. George, Dec. 7, 1807.

Nov. 18.—In a government advertisement bearing date the 22d October last, a reward of 5,000 Star Pagodas was offered by government to any commander of a British vessel, who may import alive at Madras the genuine Cochineal Insect, the growth of South America---the following is the description of the insects for which the reward will be given, viz.

Mastique, Compreschane, Tetraschale, and Sylvestre.

The first is accounted the best, and the last the worst, the three first derive their names from the situation of their produce, the last is found wild, and though perhaps superior to the spurious insect procured here, is not considered to be a desideratum.

Nov 20.---In one of the engagements which have lately taken place between the Persians and the people of Candahar, a considerable leader on the part of the latter was taken prisoner by the Persians, and while the battle was still raging, a stake was erected, and the unfortunate soldier suffered the singular martyrdom of being burnt in the field of battle.

Occurrences for DECEMBER.

Dec. 1st.—A letter from Negapatam, of the 6th ultimo, states, that the ship Kitty, Captain Rapar, from Nagod to Calcutta, was taken off the Sand Heads of the 23d ultimo, by the Adele, of 12 guns and 160 men, commanded by captain Mulas, and re-captured on the 29th by three Americans, who had been forced on board the Adele at the Islands, assisted by the Lascars, after a severe scuffle, wherein the prize-master, who defended himself with desperation, and four other Frenchmen, were either killed or forced overboard. The remaining French, four men and a boy, are landed, some wounded, and all suffering with the scurvy. The Americans are severely but not dan-

dangerously wounded; two Lascars are slightly wounded. The Kitty is under charge of a Mr. Wood, the mate of the ship.

Dec. 12.—On Wednesday the 9th instant, the surf was observed to rise unusually high, and the clouds gathering thick and black to the northward, with an increasing wind, excited apprehensions that a storm was at hand. During the evening some rain fell in occasional showers, but in the night, and during the whole of Thursday, it rained incessantly; the wind from the north-west gradually increased into a gale, which by one o'clock on Friday morning had acquired a violence that threatened every thing with destruction, and in this direction, exciting dismay and spreading desolation, did the wind blow until about 4 o'clock in the morning. About this hour the wind lessened, and altering its direction gradually came round to the Southward; during this time there was an awful suspense; for the experienced in this climate anticipated a renewal of the work of mischief from the sudden abatement of the storm, and from the shifting of the wind. When it had completely veered round to the southward it suddenly burst into a hurricane, the like of which was never before remembered at Madras.

The canal forced its banks and overflowed the country as far as the government bridge on one side, and beyond the powder mills on the other, where the water was three feet deep. Boats were carried away, and several were found at the burying ground, and one near the government gardens.

The sea rose much beyond its usual height, bringing some of the Massoulah boats within a few yards of the Custom House, and destroying others to the amount, we understand, of about 40. The surf reached Messrs. Harrington's on the beach, and by its violence exposed four feet of the foundation of the house: luckily this was not half its depth. One side of the adjoining building, the naval office, is much damaged. The company's rice godowns near the custom-house were forced open, and much of their contents washed away. The sea rose close to the ditch of the fort, and the surf dashed with violence over the ramparts. The counterscarp at the N. E. angle gave way, and the water poured into the ditch at every rising of the surf. The bastion at the northern extremity of the Black-Town wall gave way, and two guns are dismounted into the sea. It is impossible to give an accurate, or adequate description of the michief this storm has occasioned: far less can we describe the feelings of individuals who witnessed this work of destruction.--- Trees were every where torn up by the roots, the houses of the European inhabitants have universally suffered considerable damage, many were unroofed, and some partially blown down. The mud houses of the natives are in most places swept away, and with them many also of their wretched inhabitants. It is apprehended many thousands have perished. Dead bodies of men, women, and children, were found lying in every direction when the storm abated. As the sun rose higher, so the wind, and rain, which had all along accompanied it in torrents, gradually abated, and before noon returned to the northward, and by Friday evening blew again steadily, and without violence from the north-east. During the hurricane there

was

was no thunder and lightning, although some was experienced on Friday night.

In relating the accounts of the great damage sustained, we must not omit to mention the effects of this tornado at his Majesty's naval hospital.--- Several of the wards were partially unroofed, and in some places the roof fell in to the imminent danger of the sick beneath.---Fortunately, however, by the activity of the officers and men attached to the hospital, the sick were removed in time to save them, and we are therefore happy to say no lives were lost. The wall surrounding the hospital has fallen in various parts, leaving breaches of 20 feet wide---The trees are torn up by the roots, and the place exhibits one continued scene of devastation. The extensive wall of Dent's garden is injured materially, and in some parts levelled with the ground.

Black Town, St. Thomé, and the Mount seem all to have suffered alike, at the latter place the flag staff is blown down. In the roads carts upset, and cattle dead were every where lying; all the sentry boxes were blown down; as were the steps going up to the signal staff of the fort; and the large box in which the colours are there deposited, was thrown on the parade. As no market could be held, so many families, European and Native, were without food nearly the whole of Friday.

A Pariah vessel lying in the roads was stranded, and the brig Cyrus, which put to sea on the appearance of the storm, returned to the roads, on Sunday morning, with the loss of her masts, and half full of water. Some idea may be formed of the strength of the current and force of the surf, from the circumstance of a large portion of the ribs of a ship, supposed to be the *Fairlie*, captain Elliott, which was burnt in the roads, in 1799, were thrown a-shore, close to Mr. Parry's godowns.

To enter into a regular detail of all the mischief occasioned would much exceed our limits, or our descriptive powers. We cannot, however, but lament that amongst other consequences of the storm, Dr. Anderson's beautiful garden has been destroyed. This we consider a great loss in a national point of view; to the individual it must be distressing, indeed, to see the labour of years thus destroyed in a single night.

Of the misery in which the natives are involved we can give no adequate idea; unless, indeed, the following circumstance which has reached us, of the horrid resolution consequent to despair, in an *individual*, be considered as a proof of the *general* sense in which they view their calamities. A native woman, after the storm, raised a pile of wood in a gentleman's coach-house, and, getting underneath it with her child, had the desperate resolution to set fire to it; and thus burnt herself and her infant to death.

Of the distance the storm has reached, we are, at present, unable to state. We have heard that it scarcely reached to the northward further than Pulicat; to the southward it had not been felt at Pondicherry, as the American brig Brutus anchored in the roads early on Sunday morning direct from thence, and had not encountered any gale in her passage.

In a westerly direction we are informed, it has reached as far as Conjeveram, where its ravages have been much felt.

During

During Monday the 14th, a considerable quantity of rain fell, but unaccompanied with any violent wind. On the day following, the sky was somewhat cloudy, but did not present an appearance of a further storm, although it was the full of the moon.

The late hurricane did not reach so far as Vellore to the westward; the European barracks at Wallajabad overflowed about two feet, and many native inhabitants, it is feared, have been lost.

Dec. 29.—On Thursday the 24th instant, anchored in the roads his Majesty's ship *Sceptre*, captain Bingham, from Calcutta the 15th instant, having on board the honourable Sir George Hilaro Barlow, bart. and K. B. appointed, by the honorable court of directors, governor of Fort St. George and its dependencies. He was accompanied by captain Campbell, of the Bengal establishment.

Sir George Barlow landed at half past five o'clock, at the watering place near the North gate, under a salute of nineteen guns from the saluting battery, where he was received by the honorable the governor, attended by the members of council, the commander-in-chief, &c. and the principal inhabitants of the settlement.

A salute was also fired from the Sceptre on Sir George's leaving the ship.

His Majesty's 14th and 30th regiments, and the Native troops in garrison, were under arms to receive Sir George Barlow, and formed a street extending from the North-gate to the Wallajah-gate.

The honorable the governor's body guard escorted Sir George Barlow into the Fort, when he proceeded to the government-house: being sworn in at the council chamber, under a salute of nineteen guns, the honorable the governor descended to the parade, where the troops were formed in a square. The commission was here read, appointing Sir G. H. Barlow, bart. and K.B. governor and commander-in-chief of Fort St. George. The keys of the garrison were now tendered, and his accession to this honor announced by the discharge of nineteen guns from the saluting battery, and three volleys of musquetry from the troops.

Sir George Barlow afterwards proceeded to the government gardens, and was escorted thither by the body guard.

Friday last, the 25th instant, being Christmas day, the same was observed with the usual solemnity. A royal salute was fired at sun-rise, and the honourable the governor attended divine service in Fort St. George, where a most excellent discourse, suited to the occasion, was delivered by the Reverend Edward Vaughan, from the second chapter of St. Luke's gospel, 11th verse.

Dec. 30.— The officers of his Majesty's 22d dragoons have addressed a public letter to Lieut.-colonel Gillespie, of his Majesty's 8th dragoons, expressive of their regret, on his retirement from the command of Arcot.

Occurrences for JANUARY, 1808.

January 12.---On Tuesday night a fire was observed to have broken out on board the brig Teresa, captain Torrick, in Madras Roads. Assistance was immediately sent from the beach, and, notwithstanding the tow-ropes were twice burnt in the attempt, the persons employed succeeded in getting her on shore, without any damage to the shipping by which she was surrounded. No lives were lost on the occasion. The Teresa was the brig lately captured, and given up by Surcouf. The flames continued with great fury, until she was burnt to the water's edge.

Monday being her Majesty's birth-day, the flag was hoisted, and a royal salute was fired from the battery of Fort St. George on the occasion. A salute of an equal number of guns was fired from H. M. ship Duncan, captain Wells, lying in the roads.

The Grab, Charles James Fox, arrived at Negapatam, on the 11th January, from Padang, on the coast of Sumatra. She left Padang on the 16th December, and experienced hard weather in the bay, having laid to in a gale of wind for near twenty-five days. On the 23d of November there was an earthquake at Padang, and on the evening of the 3d December, between six and seven o'clock, another very severe shock was felt. A large village, with all its inhabitants, situated in a valley in the mountains, not far from Padang, was completely destroyed, and no vestige left behind. These very awful phænomena were preceded by very heavy falls of rain in all November, and severe gales of wind: the waters rushed down in torrents from the hills, the sea rose near five feet, many lives were lost, and much damage sustained by the inhabitants.

A special Admiralty Sessions was held in the Court-house of Fort St. George, on Wednesday, the 25th January, before the hon. the Chief Justice, for the trial of lieutenants James Munro Robison, and George William Rawlins, of his majesty's 14th regiment of foot, who were indicted for the wilful murder of John Norton Matthews, fifth officer of the honourable company's ship Royal George, on the 11th of October last.

Mr. Anstruther, counsel for the prosecution, stated the circumstances of the case to the jury.

—— Tymon, surgeon of the Royal George, stated, that the deceased, Mr. Matthews, was killed on the 11th of October, on this side the Cape of Good Hope, on board the Royal George, at sea, on a voyage from England to the East Indies. The witness was present at the examination of the body, which was examined by the surgeon of the 14th regiment. It appeared that a pistol ball had penetrated the head of the deceased, which occasioned his death.

William Charles, private in the 14th regiment, swore, that on the night of the 11th of October last, he saw, between the hours of nine and ten, Mr. Robison, the prisoner, on

on the forecastle. Mr. Rawlins was on the starboard side. Mr. Rawlins gave Mr. Robison a pistol: that Mr. Rawlins called out, "are you ready?" He heard Mr. Matthews say, "all ready;" on which Mr. Rawlins waved his hat, and Mr. Robison fired. Mr. Matthews instantly fell, and was taken from the deck.

Cross examined by Mr. Marsh.---Witness was about three yards from Mr. Rawlins, and about six yards from Mr. Robison, at the time he fired. Did not hear Mr. Robison speak. Does not know if he had a *red* jacket on, but thinks he had. Witness, however, knew him. Saw Mr Rodd, fourth officer, on the forecastle.

Daniel Young, private, confirmed the account of the preceding witness, with the addition that the deceased said, "all ready," and then snapped his pistol, which missed fire, and, immediately after, he heard the report of a pistol, and saw Mr. Matthews fall, but does not know by whom the pistol was fired.

John Everett, seaman, deposed, that he was on the forecastle of the Royal George on the evening of the 11th October: that he was waked out of his sleep by Mr. Rodd, who told him to go down and call Mr. Matthews, which he did. He returned to the forecastle, and saw a soldier officer on the starboard side, leaning against the rail. Does not know the officer's name, but is acquainted with his person, (witness pointed at Mr. Robison.) Saw Mr. Rawlins on the forecastle. Mr. Rawlins and the other soldier officer had each a pistol in his hand, saw Mr. Matthews walk over to the starboard side of the forecastle. Witness then went down upon the main-deck, heard somebody say "are you ready." Saw the deceased point his pistol, and heard it snap in the pan, and, in about ten seconds after, witness heard the report of a pistol, and went on the forecastle, where he saw Mr. Matthews lying down bleeding. Next morning at nine o'clock saw he was dead.

Cross examined by Mr. Marsh; states the transaction to have taken place after the Royal George had doubled the Cape.---Does not know if it was a moonlight night. Witness says, that the officer leaning against the rail had on a *blue*-coloured coat.

The learned judge here called on the prisoners for their defence, when Mr. Robison observed, that he wished to submit a few observations he had in writing to the jury; but, as he was extremely agitated, he begged that it might be read by his counsel.

The prisoner's defence, by the permission of the court, was then read.

My Lord, and Gentlemen
of the Jury,

It has been intimated to me, that by the rules and practice of criminal courts, the learned counsel, who assist me on this awful occasion, cannot address you upon the facts of my defence. I have, therefore, reduced into writing a few plain observations, which seem to me material to my own vindication, and by consequence to that of my friend, who stands here my associate and fellow-sufferer under this accusation.

Gentlemen, if it were becoming, or necessary, to appeal to your feelings, by any of those topics which might dispose you to mingle commiseration and kindness with the stern and grave offices of justice, such topics would be amply suggested,

gested, by the very nature of the crime itself, of which we are indicted. Abstracted from the awful denunciations of the law, the accusation itself, to minds not dead to the sensibilities of our nature, must be considered as a matter of the most painful inquietude. I might also advert to the peril of life, and of reputation, which is dearer than life, and to other perturbations incident to a situation, in which those, who are called on to redeem their innocence, must often undergo sufferings, as severe as those which the law inflicts upon tried and demonstrated guilt.

But, gentlemen, there is a bitterness in our situation beyond this. I allude to the melancholy subject itself of this procedure. I speak not the phrase of dissimulation, but the utterance of uncounterfeited feeling, when I profess my sorrow for the fatal issue of the quarrel, and for the unfortunate series of circumstances that impelled me into a dispute, which has torn a fellow creature from existence in the strength of his days and the promise of his youth. Whatever becomes of me, in every period and fortune of my life, I shall weep over this passage of it, I will not say, the tears of repentance for guilt; but the unaffected sorrows of my soul for the worst adversity by which I have yet been visited.

Gentlemen, may I also be pardoned, if in this serious hour, I beseech you to banish from your memories, every whisper concerning this melancholy subject, that may have reached your ears! Not that I am diffident of the integrity and rectitude with which you will execute your duties; but it is possible that you may have heard some representations of the transaction. It is equally possible, that those representations may have come to you with the usual incorrectness to which the themes of public conversation are liable, and perhaps tinctured with the calumnies of the malicious, and distorted by the misconceptions of the ignorant. But happily, gentlemen, in an English court of justice the accused party finds a sure refuge from the weight of popular crimination. With these remarks I shall proceed to a rapid but correct narrative of the principal circumstances which preceded the lamentable occurrence. I trust, that I am not guilty of an unbecoming confidence, in expressing more than a hope, that those circumstances will shew, that no part of my conduct has been influenced by that malice towards the deceased, which will be told, by the enlightened judge of the court, constitutes the legal, as well as the moral character of the crime for which I am indicted.

Gentlemen, I solemnly declare that no ill-will or animosity against Mr. Matthews ever entered into my feelings. I had disapproved of an indecorum in the behaviour of Mr. Matthews towards one of the women belonging to the regiment of which I was an officer. Of that indecorum, which was too public, and too unguarded, not to fall frequently under my observation, I had expressed my disapprobation. It was the subject of general remark through the ship, and I was far from being the loudest or the severest of those who made their strictures upon the circumstance. Unhappily, however, Mr. Matthews was induced to attribute to me the chief share in animadversions which were almost general, and to single me out as the object of the most bitter resentment.

Gen-

Gentlemen, from this time to the day of this melancholy affair, nothing passed between us worthy of observation. I had quieted in my mind the transient indignation I might have felt, and must be allowed to feel, at the unmerited language which I had received on several occasions from Mr. Matthews. My silence under language which is usually considered, in the intercourse of gentlemen, to be scarcely expiable, but by the most public and instant apology, will negative, I trust, all intention on my part to call out Mr. Matthews, and will shew that I could not have been goaded into such a measure but by indignities to which no human patience could submit. On the 11th of October I was on duty, and was going to the captain of the day, on deck, to make my report, when I observed the deceased standing directly under the ladder, looking at me, and at the same time looking at me sternly in the face. I simply asked him, if by that gesture he meant to insult me. He said, "no, sir, but you are a damned lying scoundrel for propagating false reports in the ship about me." Some irritating language having taken place, we came to blows and were afterwards separated. I naturally supposed that the business would rest here, for the remainder of the voyage, especially as I was determined, though by no means the aggressor in the quarrel, to take no more notice of what had happened, and to banish it wholly from my mind. And, gentlemen, give me leave to say, that the fatal event, and this solemn procedure, would have been prevented but for the conduct of the deceased, who the very night before, had declared his determination to challenge me, and who was also observed on the morning of this very day looking after me, and peeping at me through the netting of the great cabin, where I was sitting. But if any doubt could be entertained of the intention of the deceased either to challenge me himself, or to drive me by meditated insult into a situation, which admitted of no alternative but of my challenging him, the subsequent part of his conduct on this day will manifest his intention beyond all controversy.

About four hours after this rencontre, I was walking on deck with two or three of the officers of the regiment. Mr. Matthews was on the same side of the ship. There was then a considerable leaning of the vessel on one side, as it was blowing rather fresh. About the third or fourth time of passing, the deceased, probably by accident, having come nearer to me by several planks, slightly touched my right elbow. The contact on my part from the inclination of the ship was unavoidable. Mr. Matthews, however, instantly turned round and said to me, "You had better not shove against me again, Sir." My reply was, "that I had not done so, and that he ought to have kept out of the way." The next time of passing, he came immediately a-breast of me, and addressed me nearly thus, "You are a damned blackguard." I made no reply, but desisted from walking the deck, and went under the awning, where six or seven of the officers of the regiment were assembled, and waiting for dinner, when the deceased again came up to me and called me "a cowardly lying scoundrel, a rascal," and poured out a considerable flow of abuse, the particulars of which it would be hardly decent

decent to dwell upon. When I went into the cuddy to dinner, Mr. Matthews followed me close to the door, with the same opprobrious and insulting language. This language was addressed to me in the presence and hearing of nearly all my brother officers; of those who, from the rules and maxims of military life, would have been impelled to disclaim all intercourse with one, who, by a tame submission to the accusation, had virtually acknowledged himself to be a coward and a liar. I cannot describe my suffering under this insult. It left no other impression on my mind than that of Mr. Matthew's determination to drive me to the last extremity of wounded honour, and to try, by a series of experiments, the limits of my endurance under the foulest of imputations. Gentlemen, the result I will not particularize. The time and place was the choice of the deceased.---I declare in the presence of Almighty God, that I went out with Mr. Matthews, solely to seek that satisfaction to which I thought my character entitled. I disclaim with the utmost solemnity the intention of dipping my hands in his blood.

Such, gentlemen, were the provocations, that hurried me to this fatal, but inevitable measure. I am not tormented with a captious and irritable sense of indignity. But the uniform tenor of the defiances I had received, left no other feelings on my mind, but the conviction that he was determined to leave me no other alternative. The words which he used, have in many cases been deemed, in courts of criminal law, sufficient grounds to grant an information, or to support an indictment for sending a challenge. In their constructions of such words the courts have referred to the common feelings and understandings of men, as the surest rule of interpretation. And, gentlemen, mingling, as you will do, a regard to the infirmities of man's nature in the construction you are about to put on my conduct, you will not suppose that I could have purchased a mean and contemptible safety, by affecting to misunderstand the import of words and phrases, concerning which the grave judges of the law, reasoning in conformity to the universal sense of mankind, have put one uniform interpretation, and that I could have passively submitted to a disgrace which, from the habits of thinking at present prevalent in the world, must have rendered the rest of my life friendless and wretched.

Gentlemen, I am an officer of the British army. How could I have led others on to honourable danger, or participated in the honourable rewards of military enterprize, with a character stained with the imputation of cowardice? I presume not to urge any thing against the laws of God or of man. But you cannot ascertain the quality of my actions without some regard to the perplexities of my situation. Such is the present constitution of society, that circumstances must sometimes arise, to drive us into an unwilling struggle between the allegiance which we owe to reason and religion, and the influence which the estimation of others must always have over human conduct. In military life, the prejudices of the world cannot be resisted with impunity. We are surrounded by their entanglements. He who flies from them flies to degradation and exile. He stands alone amongst his species, cast out from the very family of mankind; dis-

disowned and abandoned amongst the common progeny of nature.

Gentlemen, I am no advocate for these opinions. But I am reminding you, that in the military life, where the good opinion of mankind is the vital air which we breathe, these prejudices have acquired a strong and inveterate dominion, and that there are circumstances of extreme insult and indignity, under which without any unwarrantable exercise of candour you might suppose, that a young man, whose prospects of present comfort and future advancement wholly depend on the profession into which he had entered, must be compelled to bend to public opinion.—Again, let me declare, that I am no advocate for these maxims. But he who condemns them cannot always oppose them. Religion discountenances them. The law inhibits them: but unhappily example sanctions them; and it is to be feared, that this conflict will continue to be unequal, so long as human weakness is driven to choose between the silent approbation of the heart, and the solitary triumphs of the conscience on one side; and an exile from social life, and a lingering existence amidst the scoffs and reproaches of the world, on the other.

Gentlemen, my life is in your hands; I know that you will execute your duty faithfully and conscientiously. But I trust that your verdict will restore me to society by delivering me from an accusation, which imputes to me that deliberate malignity, which never influenced me in any transaction of my life, and which, I trust, also, will be found not to have entered my bosom, in any period of this most lamentable dispute."

Mr. Marsh and Mr. Greenway counsel for the prisoners, then called

Captan Shea, of H. M.'s 14th regiment, who stated that he was near the poop just before dinner on the 11th of October, when he heard the deceased address Mr. Robison in the following language, "you are a cowardly lying scoundrel, you are a damn'd liar, and I will thrash you as long as I can stand over you;" that this language was used in the presence of nearly all the officers of the regiment.

Mr. Jackson, surgeon, swore, that he was on deck a short time before dinner on Sunday the 11th of October. He was walking with captains Shea and Stanners. Mr. Robison joined them. The wind was fresh. They were on the windward side, and Mr. Mathews was walking on the same side. The ship gave a lurch, and Mr. Matthews touched Mr. Robison's elbow. Mr. Matthews instantly said, don't shove me, Mr. Robison. Mr. Robison denied his having pushed him, and that it was the roll of the ship. The next turn Mr. Matthews said, if you jostle me again, I shall knock you down; and afterwards said, "you are a blackguard," and continued abusing Mr. Robison, who said to me, is it possible for flesh and blood to bear this? Mr. Robison retired towards the cuddy door, where a number of officers were waiting for dinner; that the deceased came up and told Mr. Robison he was a lying scoundrel, a coward, and other opprobrious epithets. The conversation on the quarter-deck was in a low tone of voice, but the language used by Mr. Matthews to Mr. Robison, as he was going into the cuddy, was in a very loud voice as if it was intended to be heard by every body---Mr. Jackson sat by

Mr.

Mr. Robison at dinner, when he appeared to be much distressed.

Cross-examined by Mr. Anstruther.---Has known Mr. Robison and Mr. Rawlins for three years; knows Mr. Robinson to be a peaceable and well-disposed character--- does not think him capable of harbouring malice against any human being.

Captain Henry confirms the evidence of the preceding witness, as well with regard to the abusive language at the cuddy door, as to the peaceable character of Mr. Robinson. Mr. Rawlins he stated to have been the subaltern of his company ever since he had joined the regiment.

Lieutenant-colonel Watson, the commanding officer, and major Miller, of the regiment, gave the prisoners an excellent character, and stated that they had never known either of them engaged in any dispute whatever since they had joined the regiment.

Captain Shea, re-examined by Mr. Marsh, states that Mr. Robison is the subaltern of the company he commands, and from his knowledge thinks him incapable of harbouring malice against any human creature.

The learned chief justice summed up, and stated with great perspicuity the principles of the law of homicide.

The Jury retired for half an hour, and brought in a verdict of *Not Guilty*.

Law.

Sessions of Oyer and Terminer.

Jan. 27.— On Thursday last, the Quarterly Sessions of Oyer and Terminer, and general gaol delivery, were held at Madras, before the honorable Sir T. A. Strange, knight, chief justice, when the following gentlemen were sworn of the grand jury :—

B Roebuck, Esq Foreman.

Mungo Dick, Esq	J Binny, Esq.
T. B Hurdis, Esq.	H. Burnaby, Esq.
J. M'Dowall, Esq.	W. M'Taggart, Es.
R. Sherson, Esq.	G. Knox, Esq.
G. Strachey, Esq.	D Pugh, Esq.
E Coxe, Esq.	J. Binny, Esq.
W. Cook, Esq.	E Dent, Esq.
M. T. Harris, Esq.	J Hodgson, Esq.
W. Oliver, Esq.	M. Roworth, Esq.

W. Abbott, Esq.

The chief justice, addressed the grand jury in the following terms :—

Gentlemen of the grand jury,—The interval since the last quarterly sitting of this court has, according to the report of the calendar, accumulated a number of cases for that enquiry to which you have been just sworn.--You are pledged by your oath to make them with impartiality; independently of which, your station and characters in society confirm the assurance that they will be conducted with that attention which is the first requisite towards forming a sound judgment, and with that discrimination that is essential to the discovery of truth ---- The charges that will be brought before you consist, as usual, principally of simple larcenies, with the addition however of at least two very bad cases of homicide. It is indeed quite melancholy, and not a little opprobrious to the British name in India to reflect, that in a battalion of one of his Majesty's regiments, serving at present at a distant station under the government of this presidency, there appears to have diffused itself such a spirit of rancour, and such a hardened wantonness exists, that if not diligently enquired into and repressed by the most exemplary penalties of the law, must bid fair to

to excite in those parts in which, unhappily for them, the corps to which I a lude is posted, a repetition of something like those scenes of horror at which, in a neighbouring garrison, to whatever causes to be ascribed, it is not yet so very long since the stoutest here were appalled. Whence the delusion has sprung, I know not; but it would seem to be the opinion of the privates of this corps, that, in order to be discharged from it, they have only to commit a murder, and for this purpose it would appear to be sufficient with them at all times, that a native is at hand. To excite to it, no provocation earthly is wanted, or waited for. It is inducement sufficient with them for the perpetration of the most enormous of crimes, upon unoffending and defenceless fellow-creatures, that it will be the means (it seems) of getting to Madras. What the speculation may be beyond this I profess to be ignorant. The instance is by no means new. There have been more than one of the kind in my personal experience; and they have terminated in capital sentences founded upon the clearest convictions, and under which the desperate and wretched culprits have suffered. A case of a similar description, as it should seem, will be before you, upon which I think you will be of opinion, so far as I can gather from the informations, that you can have but little option as to the propriety of finding a bill. I may make the like observation upon the other homicide. You will, I fear, have reason for deeming them both to be cases that will scarcely admit of your balancing, as to whether the bills that will be submitted to you, shall or shall not be found.

The chief justice made some remarks on the offence of larceny, as connected with the particular cases in the calendar, and concluded with referring the grand jury to the commencement of their enquiries into the matters preferred to them.

An indictment was found against W. Smith, matross of the 1st battalion of artillery, for the wilful murder of his wife, Victoria Smith, on the 23d of July last, at Quilon, in the dominions of the Rajah of Travancore, by giving her several mortal bruises, of which she died.

The prisoner was tried on Friday last; and the following is an extract of the proceedings.

It appeared by the evidence of several witnesses, that, at about five o'clock in the afternoon of the day stated in the indictment, the prisoner had found his wife in the kitchen of a neighbour in a state of intoxication. In consequence of which he gave her several blows on the face and head with his fist; and then taking her by the arm, pulled her out of the house, she abusing him all the time. When arrived at the road, in the front of the kitchen, she fell down, (whether from intoxication alone, or by a blow from the prisoner, did not clearly appear,) and the prisoner then gave her three kicks on the breast with his foot, (one witness said he jumped upon her;) but desisted from further violence, on a woman present representing to him that he ought not to beat his wife. The deceased was then taken into the house, and the prisoner went away. About seven in the evening, the prisoner returned to his house just as his wife expired, upon which he threw himself upon the body and cried very much.

It further appeared that the deceased was in the habit of getting intox-

intoxicated, and that in order to procure liquor, she would spend all her husband's pay, and even sell his clothes.

Mr. Wyse, a surgeon, deposed to the appearance of the body of the deceased, which he examined after death. There were externally on the chest several bruises; between the flesh and ribs there was a large quantity of extravasated blood, as well as in the cavity of the thorax, immediately beneath the part externally discoloured. There was no appearance of any large blood vessels having been ruptured. The bruises on the head were merely superficial. The surgeon had no doubt that the blows she had received had been the cause of her death.

The prisoner in his defence said, that he was himself in a state of intoxication; that he was provoked by constantly finding his wife drunk, and by her abusing him, to strike her, but without any intention of doing her any serious mischief.

The learned judge summed up the evidence with clearness and precision; and the jury, after retiring for near an hour, returned with a verdict of *Manslaughter*. Judgment was postponed.

On Saturday last, W. Cogan, private of his Majesty's 34th regiment, was tried for the wilful murder of Roshumbeg, sepoy of the 2d battalion 7th regiment Native infantry, at Bellary, on the 27th of September last.

It appeared in evidence, that the prisoner and the deceased were each doing duty as centinels over three prisoners, confined in a choultry near the main guard. The prisoner mounted with his bayonet *only* in his hand, and his firelock was placed against the wall on the outside of the choultry.

About four o'clock in the morning of the 27th, the guard, who were going the rounds, heard the report of a musquet, and conceiving the sound to come from the spot where the prisoner and the sepoy were on duty, proceeded thither. They found the sepoy lying bleeding on the ground, and the prisoner walking quietly on his post near him, with his bayonet in his hand The prisoner's musket was lying about three paces from the deceased, and the corporal of the guard observed it had been recently discharged. He asked the prisoner how the deceased came in that situation? He replied that the sepoy had shot himself, that he must have taken *his*, the prisoner's musket, whilst *he* was within side the choultry. On the arrival of the officer of the day, the prisoner said, he had observed the sepoy fiddling with his musket, and that he shot himself whilst he, the prisoner, was marching on his post with his back towards the deceased. The officer, on examining the body, found the man shot in the back, and on looking at the firelock, observed there was no string to the trigger by which the man could have managed to have shot himself in such a part; he therefore directed the prisoner to be relieved, taken into custody, and confined in the main guard. Here the prisoner's pouch was examined, and was found to contain twelve rounds of ball-cartridge, which was the number with which he had mounted guard. The pouch of the sepoy was also examined, and six rounds were there, which also was the usual allowance.

A private soldier stated his having missed a ball-cartridge out of his pouch, during the morning of the 26th of September, and which circum-

circumstance he repeated to the serjeant and corporal of the guard.

A corporal and two privates proved, that in the afternoon of the 26th of September, the prisoner had told them that he would take his own life, or that of some other person before he went off guard. To one of them, of the name of Green, he said, if you hear of any thing happening to me, take care of my clothes which you have got from the washerwoman. A soldier of the name of Riley had heard Cogan say, during that day, that in fourteen days he would be on his way to Madras.

The deceased died, it is supposed, immediately after he received the shot.

Mr. Bruce, assistant-surgeon, stated, that he examined the deceased, and had reason to think the ball had entered by his back, because the deceased's clothes had been torn in that part, singed, and covered with gun-powder, not merely his outer jacket, but also a calico waistcoat underneath.--- The ball had entered at the interior extremity of the shoulder, and had come out just at the nipple. The wound *before* was somewhat *lower* than the wound *behind*, which induced him to think, that the ball had been fired from a position somewhat elevated.

Witness observed there was no string to the trigger of the prisoner's musket. Has no doubt that the wound through the sepoy's body, was the cause of his death.

The choultry had a few steps up to it, and the centinels were to parade in front of this, on the level ground.

The prisoner in his defence said, that he was planted centinel with his bayonet, and placed his musket against the wall of the choultry, at two in the morning of the 27th of September, that at four o'clock he heard the report of a musket, that he *then* came out of the choultry, not *before*, and seeing the sepoy lying bleeding, he called out loudly three times to the serjeant of the guard.

The prisoner called three witnesses, who stated that they heard the prisoner call out for the serjeant of the guard. One of these soldiers said, as he was going to the Bazar, he saw, as he passed the choultry yard, a sepoy go into it. This was about ten minutes before he heard the report of the musket.

None of the witnesses examined during the trial, except the three before stated, had ever heard the prisoner say, he would take his own, or any other man's, life, nor that he wished to go to Madras.

Serjeant Derby and corporal Woodcock gave the prisoner a good character.

The learned judge now summed up the evidence, commenting on every part of it, and explaining, with perspicuity, how the various parts of it affected the prisoner, either as it tended to his condemnation or acquittal. Having also stated the law of the case, as requiring the proof of malice in a charge of murder, and shewing how far the prisoner had evinced a malicious intention, (supposing him to be the man who had actually fired the shot from the musket) he left the facts to the determination of the jury. The jury then retired, and returned in about half an hour, with a verdict of guilty.

The prisoner was then removed from the bar to be brought up for judgment on a future day.

The

The following detail of the piratical seizure of the brig, Admiral Troubridge, by part of her crew, communicated by Captain A. Wallace and Mr. Thomas Barnes.

" On the 21st of August, 1807, the brig, Admiral Troubridge, was lying at anchor off the Island of Sooloo. At about five, P. M. we were on board, when captain Wallace gave his directions about the duty of the ship, and we returned to the shore about seven in the evening. At this time the crew appeared satisfied, and no apprehensions were entertained for the safety of the vessel. About midnight we were alarmed by our people stationed at the house for a guard, with information that a gun had been fired on board, and that the brig was under weigh, standing out from the roads; we observed her for some time, supposing that she was shifting her birth; but finding that she was drifting fast to the north-east part of the island, with little wind, we conjectured the vessel was cut off, though at a loss to know by what means. As the people on shore were quiet, and no boats seen moving on the water, we concluded that the crew must have over-powered the officers and seized the vessel.

" Mr. Barnes then waited on the head datoo, and begged of him to order out the prows after her; but at that hour it being impracticable, he promised to dispatch them as soon as they were ready.

" In the morning of the 22d, the brig was in sight from the house, the wind having been light and unfavourable for clearing the island; we waited on the Sultan, and begged he would send the prows out immediately. And in order to hasten their dispatch, offered a reward of 5000 Spanish dollars to those who might retake the vessel. He consulted with some of the principal people, and desired us to go to the head datoo, who would give orders respecting the prows. On seeing him we were informed, that a boat had left the brig with four men, and captain Wallace was so well persuaded of the truth of this report, that he armed himself, and embarked in a small boat, with some Sooloonese and Seacunny, determined to get on board if possible, under an idea that if the ringleaders had left her, the lascars would assist him against any others who might be concerned in the mutiny.

" He neared the brig sufficiently to hear the people working, before he found the report untrue; and then received the discharge of six guns and swivels from the stern; on the firing of which the Natives jumped into the water, excepting one man, who stood up, and fired two muskets at the brig: he then returned, and reached the town in safety, between four and five o'clock that afternoon, having left her with all sail set, standing to the eastward.

" In the evening, the datoo left the town, with three large prows well manned and armed, accompanied by his own chosen slaves; it then being calm, and the advantage of rowing, we had great hopes of his coming up with the vessel.

" Between one and two o'clock of the morning of the 23d, we were much surprised with the appearance of Mr. W. Sharpe, the chief officer, covered with blood, and severely wounded: he had been sent away from the Brig the preceding evening, with two Seacunnies and three others, not concerned

cerned in the mutiny, and from them we learned the following particulars :—

"Mr. Sharpe stated, that he retired to his cabin about nine, P. M. on the 21st, and left Mr. C. B. Lloyd, the second officer, in charge of the deck, from eight to twelve, and had not the least apprehension of danger from the crew, knowing of no disaffection. That to the best of his knowledge, it was between eleven and twelve, when he was alarmed with some cries, and a noise like clashing of swords, on which he ran to the steerage, and looked up the hatchway, when one of the people made a stab at him with a boarding pike; he returned to his cabin for fire-arms, and a Manilla Seacunny and Malay Lascar rushed down with cutlasses, on whom he discharged a pistol, and wounded the Seacunny in the arm. The report of the pistol deterred others coming down for some time, till a Sepoy stationed below as a guard, seized him round the waist, and called to others for assistance: in this interval Mr. Sharpe called on Mr. Lloyd, and received no answer, for, alas! Mr. Lloyd was no more. Shortly after many others came down, and he was overpowered, after defending himself to the utmost. In the tumult he received a severe cut in the neck, which, with many other cuts and stabs, occasioned a great loss of blood, so as to render him unable to stand, and the villains then supposed he was murdered. Finding, however, he was not dead, they extended their mercy so far as to bind his hands behind, and lashed him to a standing cot in his cabin. Shortly after he heard a gun fired, and the noise of bending sails, in which the serang appeared very active, for his voice was heard repeatedly cheering the people. Mr. Sharpe knows nothing more of their proceedings till about eight o'clock in the morning, when he was removed from the cot, and placed in irons spiked to the deck. About six in the evening they came to a resolution, to send him on shore in one of the brig's boats, with five others, as before described.

"The two Seacunnies, who landed with Mr. Sharpe, stated, that, on the night of the 21st, they were sleeping near the capstern, and were awoke by some cries, and a bustling on deck, on which one of them ran forward, and got on the forestay, supposing the shore people had boarded the vessel, and he there saw a Malay Lascar cut the cable; the other Seacunny saw the Malay Lascars on the quarter-deck, armed with cutlasses, and Mr. Lloyd lying on the deck. He attempted to raise him, and found him bloody. This Seacunny was ordered forward immediately, and with the other was sent below, and the hatch put over them, where they were kept till about four o'clock in the morning, and then ordered up with a promise, that their lives should be spared, if they assisted in working the brig. Mr. Lloyd was then found dead, and the gunner lying with many wounds; on his shewing some signs of life, one of the Lascars killed him with a crow-bar. At sun-rise their bodies were thrown over board."

The pirates got safely off with the brig.

Jan. 30.—The honourable the governor gave a public entertainment, on Wednesday last, in honor of the birth of our most gracious Queen. The principal inhabitants of the settlement began to assem-

assemble at the banqueting room about nine o'clock, and before ten the dancing commenced.

His highness the nabob, accompanied by his son, and attended by his principal khans, arrived shortly after ten o'clock, and was conducted by the hon. Sir G. Barlow to the upper end of the room, which had been prepared for his reception. The supper tables were laid in the gallery of the banqueting room and covered with every luxury.

His highness the nabob retired before supper.

Occurrences for FEBRUARY.

February 2. Wheat is selling as low at this presidency as 55 pagodas per garce.

February 10. A medical fund, partaking of the nature of the civil fund, has been newly established, under the sanction of the government; which has authorized stoppages to be made from the pay of the subscribers, and has given it every other requisite facility within its power.

TRANQUEBAR, Feb. 12. The Danish ship ———, late the Mangles, has arrived at this place to day from the Isle of France, left it the 21st Dec.—The Mangles was purchased at the Isle of France for 15,000 dollars; and the Susannah, another prize, for 10,650 dollars.

February 25. The expedition fitted out from this presidency, at the desire of Sir E. PELLEW, for the purpose of destroying the naval force of the Dutch, has completely succeeded in its design. It will be recollected, that five companies of the 30th regt. with one company of artillery, proceeded from Madras Roads, on this important service, which was reinforced at Penang, by the royals and the 34th. They arrived at the scene of action early in December last, when the following correspondence took place between Sir E. Pellew and the Dutch commander previous to the burning of the Dutch men of war.

To the commanding officer of the Dutch ships at Griessee and Sourabaya.

"H.M.S. Culloden,
Sourabaya Roads, Dec. 6, 1807.

"SIR,—The British are the natural friends of the Dutch. We are impressed with correspondent sentiments. It is become our duty to prevent the Dutch ships of war from acting under the controul of France, in hostility to the British. If you, Sir, shall consent to give up the Dutch ships and vessels of war, and all others under French colours, now lying at this port, we shall forbear from any measures of violence against these settlements or their inhabitants. If our proposal is accepted, we shall retire without molestation from the town and garrison, after receiving necessary refreshments; but should this pacific offer be rejected, we can only regret the necessity of commencing immediately those hostile operations which our naval and military forces are jointly prepared to accomplish.

"We have appointed a commission, consisting of an officer of his Majesty's navy, an officer of the military forces, and the secretary to the commander in chief of the British squadron, to present to you

this

this letter. They will have the honour to receive in person your immediate answer to our proposals, which we shall await with impatience, and we must consider any hostile movement as the signal for your rejecting an offer which we trust your regard to the lives of those under your authority will induce you to accept with alacrity. We have the honour to be, Sir, your very obedient servants,

(Signed) EDWARD PELLEW,
"Rear-Ad and Com. in Chief of H. B. M. squadron in India.

(Signed) WM. LOCKHART.
"Lieut. Col. Com. H. B. M. Land Forces."

The commanding officer in the service of his Majesty the King of Holland, residing at Griesee, to his excellency the Rear-Admiral Pellew.

The letter addressed to the commanding officer of this place has been this moment handed me by the commission which you appointed of three gentlemen in the service of his Britannic Majesty.

You will have the goodness to observe, that my duty as an officer in the service of his Majesty the King of Holland prevents my suffering either your boat or people to return: whatever injury the chance of war might expose us to, would be miserably obviated by attending to the proposals which you have thought proper to make. With the greatest respect,

I remain, &c.
WILLIAM COWELL.
Griessee, Dec. 6, 1807.

Proposals made to the governor and council of Sourabaya, by his excellency Rear-Admiral Sir Edward Pellew, Bart. commander-in-chief of his Britannic Majesty's squadron, and Lieut.-Colonel Lockhart, commanding the British land-forces before Griessee.

Preliminary.—The unjustifiable violation of a flag of truce by M. Cowell, commandant of the Dutch naval force in this harbour, in arresting the gentlemen appointed as a commission to treat for the surrender of the Dutch men of war at Griessee having excluded that person from all further correspondence with the British, the following articles are proposed to the governor in council:—

1. The object of our operations in this quarter being the destruction of the Dutch men of war at this port, and those ships having fallen into our possession by the surrender of Griessee, the purposes of the commission above-mentioned have been fully answered already. A. We have nothing to reply to this article, since the ships of war and garrison of Griessee are already in possession of your excellency.

2. The services of the British naval and military forces are not directed against the property of individuals. We have already expressed our desire to leave them unmolested. Sourabaya will not be subjected to violence; and the declaration of the governor and council, that no Dutch vessel of war remains there, will be received as a security to that settlement.—A. We engage our word of honour, that there is no other vessel of war at this place belonging to his Majesty the King of Holland.

3. The Dutch ships of war at Griessee, with the naval and military stores in the garrison, will be destroyed by the British before their departure. The private property, and the provisions and other stores (not military) will remain in

in security.—A. The answer is the same as to the first article.

4. The battery of Sambelangan, on the Island of Madura, is likewise to be destroyed; and in order to obviate the necessity of employing force for the execution of that service, it is proposed that orders shall be issued by the governor and Council of Sourabaya for the purpose, a British officer and party of troops being admitted into the Fort for the completion of the same.—A. We are compelled to acknowledge that the destruction of Sambelangan, by the artillery of the English ships, is in the power of your Excellency, and that we are unable to oppose any resistance. But the generosity which your Excellency has hitherto exhibited towards Griessee, assures us that it cannot be your intention to shew us any insult by compelling us to the necessity of submitting to the destruction of the battery by your troops; we therefore request that you will relax from this article upon our engaging to disarm and demolish this battery at the same time.

5. The governor and council of Sourabaya will send boats to the British squadron for the purpose of receiving water casks to be filled with good water at Sourabaya, and returned to the fleet with every practicable dispatch; about 300 tons will probably be required.—A. They shall be sent as soon as possible.

6. For the refreshment of the crews and military forces on board his Britannic Majesty's ships, it is desired to purchase, at the usual market price, about 300 head of cattle, which the governor and council will be requested to give orders for furnishing as soon as possible; and such fruit and vegetables as the person appointed to receive the same shall determine. Ready money in Spanish dollars to be paid for the articles so purchased.—A. They shall be delivered.

7. Upon the acceptance and fulfilment of the above conditions by the governor and council of Sourabaya, the commander in chief of the British squadron, and the commander of the land forces on board them, consent to return without further molestation to those settlements, the security of which, under these voluntary proposals, will be guaranteed to the governor and council of Sourabaya, under our joint engagement.—A. These articles shall be fulfilled. In faith of which we have hereunto set our hands.

The governor and council of Sourabaya.

(Signed) J. P. ROTHENBULLER,
D. T. VON ALPHEN,
C. VON FRANQUEMONT,
J. VON YSSELDYK.

Sourabaya, 9th Dec. 1807.

Given under our hands on board his Britannic Majesty's ship Culloden, before Griessee, 9th Dec. 1807.

(Signed) EDWARD PELLEW,
Rear Admiral and Commander in Chief of his Britannic Majesty's squadron.

(Signed) WILLIAM LOCKHART.
Lieut.-Col. commanding his Britannic Majesty's troops.

(A true copy.)
EDW. HAWKE LOCKER.

Occurrences for MARCH.

March 3. Dr. Anderson has discovered that the Kew Nopal, which is so far an air plant as to preserve life, and the capacity of vegetation for months, after an entire removal from the earth or watering

watering gardens, has peculiar qualities for the prevention of scurvy in seamen. The taste of the plant is said to resemble the sorrel. It has been used on board several of his Majesty's ships in the Indian seas, with very good effect, both in a crude and boiled state.

March 5.—On Wednesday morning admiral Drury went to the company's mint, for the purpose of inspecting the difficult and complicated machinery at that building, and examining the model of a 74 gun ship which has been built on a spot adjacent, for his highness the Nizam.

This model is on a scale of one and a half inch to a foot. The hull, sails, mast, rigging, ordnance, even to the minutiæ of hammocks, and every appendage, renders it one of the most complete and perfect representations of a man of war ever produced.

On the admiral's arrival the ship fired a salute of fifteen guns, from the main deck, much to the gratification and astonishment of the party assembled; and admiral Drury was pleased to express his highest approbation and praise on the perfectness of the undertaking.

It is the intention of his highness the Nizam to have the ship constantly afloat in one of his largest tanks.

March 10.—On Saturday last the picture of major-general the right honorable Sir A. Wellesley, K. B. voted by the inhabitants of Madras, was placed in the exchange of Fort St. George. It is painted by Hopner, at the selection of Sir Arthur, and is a striking likeness.

March 12.—The honorable the governor in council has been pleased to sanction the establishment of a military fund, the objects of which are—

1st. To provide for the families of officers, whose death leaves them destitute of an adequate maintenance.

2d. To assist officers, unprovided with aid, by the regulations of the service, or from their own resources, under such circumstances of urgent sickness, as may render a voyage to England necessary for the preservation of their lives.—And

3d. To afford such further aid, as the state of the funds shall admit, in other cases of less urgent necessity.

Lieutenant-colonel Capper, adjutant-general, was elected president,---and the following officers directors of the institution.

Lieut.-col. Bell.	Capt. Beauman.
Lieut.-col. Munro.	Capt. Marshall.
Rev. Dr. Kerr.	Capt. Grant.
Major Barclay.	Capt. Prendergast.
Major Trotter.	Capt. Noble.
Major Boles.	Capt. Thompson.

Secretary and Accountant,
Captain Marshall.

On Monday morning his excellency the commander-in-chief reviewed the squadron of horse artillery at the race stand. The state and order of this eminently useful and valuable corps, the skill displayed in all its evolutions, and the precision and rapidity of its movements, received the unqualified approbation of the commander-in-chief; and his excellency was pleased to bestow on captain Noble, the commanding officer, in front of the squadron, the commendations he has so well merited, for his zeal, judgment, and assiduity in bringing this excellent corps to its present perfection.

March 13.—On Thursday evening Mr. J. Parr, of the firm of W. Parr and Co. and Mr. J. Bean, late

late commander of the ship, Scotland, were returning from a drive in the Mount Road, when the horse took fright on the bridge near the government gardens, and the reins breaking, Mr. Parr, in jumping from the bandy, unfortunately fell on his head, fractured his skull, and expired a few hours afterwards. Captain Bean providentially received no other injury than violently spraining his wrist and ancles.

Occurrences for April.

April 4.—The following account of an inundation and earthquake, at Padang, has been just received.

Padang, Feb. 15.—"You know we are very subject to inundation, by the river overflowing its banks, and making Padang a complete sheet of water; and that it sometimes enters houses which are low built. On the 20th of last month, we had a great deal of rain, and the river had overflown in the common way, that is to say, about one or two feet of water in the streets, and in some places three, which subsided again next morning, though the rain did not cease. The weather continued so the whole day, and at night upon the 21st, at about ten o'clock, the water rose suddenly to an alarming height, with a current running through the town at the rate of seven or eight knots, carrying every thing before it. It was dreadful to look down from my verandah.---My house is about ten feet elevated from the level of the ground, and the part of the town where I live, pretty high; yet I had only two of the upper steps free. I leave you to judge what my sentiments must have been, when I looked towards my wife and little children clinging round me, who could not have preserved one of them from destruction had the water come a little higher. I do not know any calamity, with which human nature is afflicted, equal to an inundation, and particularly in a place like Padang. As soon as the waters rises, every body is confined at home, and employed in securing what can be obtained not within the reach of the water. In a common Barjier, or high water, our servants can go in canoes, from one house to another, and even in the bazars; but on the night of the 21st, it would have been inevitable destruction to attempt it; and we had the horrid prospect of perishing one after another, without being able to render any assistance to our neighbours, although our houses are close together. When the water first rose, I got all my people employed in carrying my sheep (which I kept under the back part of the house) to a place of safety; but saw the water rising so rapidly, that I was obliged to leave the poor creatures to their fate, and try to save a few bags of rice, to preserve us from being starved, if we should escape the fate with which we were threatened by the watery element. My stock of sheep were all swept away, and I found next day, that my precaution had not been needless; for all my neighbours, who had not been so provident as myself, in keeping a stock at home, and the communication with the bazar being cut off (where even the Malays themselves were also in the greatest distress)

distress) sent to my house for the necessary articles of food, which by good management lasted us until the waters subsided. On the night of the 21st, at about half past eleven, two Malay huts passed before my house, carried away by the current, but I believe there was nobody in them, as no cries were heard. One of them got foul of Mr. L.'s house, and nearly carried it away. The cries of distress in every part of the town, and the adjacent bazars, were dreadful to hear. The waters rose and fell until the night of the 23d twice, and sometimes thrice during the twenty-four hours, and had nearly subsided at seven in the evening, when they rose suddenly again; and at nine o'clock, when they were at their height, we had a most terrible shock of an earthquake. It was then that our situation became truly alarming. Every one recollected the dreadful night of the 12th of February, 1797, when the sea, rushing into the river immediately after the first shock, had nearly carried away the whole town. How impossible it is to form any kind of judgment of the approach of such awful convulsions of nature! It is not in the memory of the oldest man here, to have felt a shock during an overflow of the river, and we had then been four days under water. As my house is at a great distance from the river, and well elevated from the ground, every person of my acquaintance came to me for shelter, expecting every moment to see the waves of the sea rush in and swallow up the whole. However, we were quit of it with our fears, for the waters fell as quickly as they had risen immediately after the shock; but I am sure that no miserable wretch, condemned to die the next day, ever passed a more painful night than the inhabitants of this place, or was ever morning waited for with such anxiety. You know, that my friend L.'s house is situated on the very brink of the river wharf. When he saw the water rising so fast on the night of the 21st, he tried to come over to our office, which is a brick building, adjoining to his house; but he found it impracticable; hence, he, his family and two gentlemen, living with them, were obliged to wait their fate where they were; and had the water risen six inches more, (his house being upon wooden posts, without any foundation, but merely laid on the ground) they would have inevit bly been all carried out to sea, without any possibility of helping themselves.

The lives lost in this calamity are supposed to be about three hundred, and the property lost and destroyed is supposed to amount to upwards of a lac of dollars. The beach, for many miles to the northward, was strewed with dead bodies. At some distance from the bazar, a large babybaby, or long room, had been for a long time built, for the reception of the hill people, when they came down to purchase goods; it was situated at the head of the river, in the bottom of a valley. The night before the inundation, thirty of these people had taken up their lodging there, and intended to proceed on their journey the next day; but the water rising, they were obliged to remain there, and on that fatal night they were all swept away, together with the gold dust in their possession. A little to the northward of this place, a hill was thrown down by the earthquake, and half the inhabitants of a village, which stood at the

the foot of it, crushed and destroyed by its fall.

From the 24th November, to the 1st of December, we had very fine weather, although extremely hot, the thermometer being ninety at noon, in the shade. At half past eight P. M. on the latter date, we had two very dreadful shocks of the earth, which lasted twenty-five seconds, much more severe than the one on the 23d ultimo. It is remarkable that all other earthquakes, which had hitherto happened here, had always been felt throughout the whole island, and almost at the same time; yet by letters from Bencoolen, it appears that they have not felt any there, nor experienced any of the bad weather; but at Nattal, which is as far to the northward of this, as Bencoolen is to the southward, the waters have destroyed all the bazar, and carried away a great many people and craft lying in the river; and the earthquakes have been equally as severe as here.

April 28.—On Monday last arrived his Majesty's sloop Victor, captain Groube, accompanied by a very rich Danish ship lately from the Isle of France. We understand the Victor, during her cruise to the southward, captured seven Danish vessels, laden with articles of considerable value.

A salute of fifteen guns was fired on Thursday last, on the arrival of the honorable Alexander Johnson, one of his Majesty's justices in the island of Ceylon.

April 30.—The penitent behaviour of W. Rice, of his Majesty's 69th regiment, one of the unfortunate sufferers at the gallows on Saturday last, attracted general notice. During his confinement in prison, and the short period he had to prepare for his entrance into eternity, he exhibited strong symptoms of contrition and resignation; and when he came to the fatal spot he appeared uncommonly solicitous to impress his fellow soldiers, (who were very properly drawn up to be witnesses of the execution) with a just sense of his lamentable situation.

"He hoped, (he said) that they would all take warning by what they now saw before their eyes. Three poor wretches, their fellow-soldiers, meeting their fate for their crimes. He advised them, as the best means of guarding against the alike calamity, above all things to avoid the abominable practice of getting drunk, which was the principal source of all the calamities that might befal them through life, and often brought to an untimely death many who might otherwise have been useful members of society. He freely forgave all his enemies, and he trusted that God, through the intercession of his Redeemer, would forgive him."

Occurrences for MAY.

May 3.—The honorable the governor in council having resolved, that the camp equipage maintained by commanding officers, for the use of Native corps, shall be purchased by the public, on the expiration of the existing contract, at valuations to be certified, upon honor, by those officers respectively, is pleased to order and direct,

rect, that the tents attached to Native corps shall be delivered over on the 31st instant, to the officers of government, and charged for, in bills supported by declarations upon honor.

Occurrences for June.

June 8.—Advices from the east mention, that lieutenant Panton, an officer of marines, and a boat's crew of the Fox frigate, having been sent on some service on the coast of Manilla, had, from the explosion of the boat's magazine, been unfortunately blown up, and the whole party had perished.

June 9.—Saturday last being his Majesty's birth day, the Union-flag was displayed at Fort St. George, and seventy guns, corresponding to the number of years his Majesty has lived, were fired at sun-rise. A royal salute was also fired at noon, from the battery of the fort, and from the nabob's palace at Chepauk. His Majesty's ships in the roads were beautifully decorated; and at one o'clock the different ships fired a royal salute.

June 11.—The government commands at this presidency have been reduced to eight, viz.—Malabar and Canara, with Cananore; Tinevelly district with Palamcotah; Bangalore; Wallajabad; Arcot; Vellore; the Hydrabad Subsidiary force, and the Subsidiary force at Travancore. In lieu of these the government have given an increased batta to the commanding officers of corps.

Yesterday morning anchored in the roads, L'Union, French privateer brig, of eight guns, sixty Europeans, and twenty Lascars, commanded by Mons. J. Almond, and captured by his Majesty's ship Culloden, off Ceylon, after a chase of two hours. From the Isle of France twenty-seven days, and fortunately had made no captures.

A frigate from Europe, named La Caroline, of 44 guns, had arrived at the island prior to the sailing of the privateer.

Occurrences for July.

July 12.—By the fleet lately arrived from Europe, the honorable Sir Thomas Andrew Strange, his majesty's chief justice of this settlement, having received a special commission for establishing at this presidency a Vice Admiralty Court, with several warrants from the Lords of the Admiralty, addressed to him as the judge, the various persons intended to fill offices in the new jurisdiction, with others, met at nine on Tuesday morning, the 9th instant, at the chief justice's garden on the Spur Tank, and, having breakfasted, proceeded with him to the court-house, where he and they arrived about eleven, and soon after Sir Thomas Strange entered the court, and taking his place upon the bench, proclamation having been first made for silence, the commission was read and published, when Sir Thomas immediately administered

ministered to himself the several oaths incident to the office it confers.

This commission constitutes Sir Thomas Strange his Majesty's commissary in his Vice Admiralty Court of Madras and the territories thereunto belonging.

It enumerates particularly, as well as generally, every object of his jurisdiction as such, detailing and defining the powers of the court with a reservation of a right of appealing to the high Court of Admiralty of England, and saving also in all things the prerogative thereof.

Sir Thomas Strange then proceeded to appoint Henry Gahagan, Esq. to be the registrar, William M'Taggart, Esq. marshal, and Charles Marsh, Esq. King's advocate; all of whom were thereupon sworn to the due execution of their respective trusts; after which Alexander Anstruther, Esq. the honorable company's advocate, was admitted and sworn an advocate in the new court, and Mr. Robert Orme, the honorable company's solicitor, was appointed and sworn in as king's proctor, and other gentlemen as proctors.

The warrants accompanying the commission from the high court of admiralty were then also read and published. They purport to have been issued by the lords commissioners for executing the office of lord high admiral of the united kingdom of Great Britain and Ireland, &c. under their hands, and the seal of the office of admiralty, bearing date the 10th of February, 1808; and to be addressed "to the Vice Admiralty Court of the settlement of Madras, and the Vice Admiral or his deputy, or the Judge of the court, or his deputy, now or for the time being;" in pursuance of commissions from his Majesty under the great seal of Great Britain, (copies of which are annexed) bearing different dates; directing and empowering the judge "to take cognizance of, and judicially to proceed upon, all and all manner of captures, seizures, prizes, and reprisals of all ships and goods that are or shall be taken within the limits of the said Vice Admiralty court of the said settlement, and to hear and determine the same; and according to the course of Admiralty and law of nations to adjudge and condemn all such ships, vessels, and goods as shall belong to ——— (the particular power referred to in the commission and warrant) or to any persons being subjects of ——— or inhabiting within any of the territories of ———"

They are seven in number, and are as follows:

1st. Against the ships and goods of the French republic, in pursuance of his Majesty's commission, dated the 16th of May, 1803.

2. Against the Batavian republic, pursuant to commission, dated the 16th June, 1803.

3. Against the countries styling themselves the Ligurian and Italian republic, under the commission, dated the 24th August, 1803.

4. Against the king of Spain, pursuant to commision, dated the 11th January, 1805.

5. Against the territories and ports of Tuscany, the kingdom of Naples, the port and territory of Ragusa, and those of the islands lately composing the republic of the *Seven* Islands, and all other ports and places in the Mediterranean and Adriatic seas, which are occupied by the arms of France or her allies, pursuant to a commission

sion, dated the 4th of November, 1807.

6. Against the king of *Denmark*, pursuant to a commission bearing the same date.

7. Against the emperor of *Russia*, pursuant to commission, dated the 18th of December, 1807.

These warrants are accompanied with particular instructions from his Majesty in council.

The "instance" and "prize" courts being thus constituted, the judge sat to hear motions, and then adjourned.

On reading the king's commission a royal salute was fired from the flag ship in the roads and from the fort.

July 15.—The governor in council has ordered a dividend of Seringapatam prize-money, arising from the value of captured ordnance and stores, and from the balance of prize property due by the prize agents, and has fixed the proportions on the scale of the original distribution at Seringapatam.*

Occurrences for AUGUST.

Aug. 1.—The committee appointed for the management of the Native poor fund, for the following year, consists of the following names:

M. Dick, Esq.	Major Barclay.
C. Smith, Esq.	G. Arbuthnot, Esq.
J.H.D.Ogilvie, Esq.	J. Binny, Esq.
G. Buchan, Esq.	R.C.Sherwood, Esq.
T. B. Hurdis, Esq.	J. Shamier, Esq.
E.C.Greenway, Esq.	John D'Fries, Esq.

Aug. 18.—The commander-in-chief having completed his inspection of the troops at that station, quitted Trichinopoly yesterday afternoon; a squadron of cavalry, with a standard, was paraded to escort him to the banks of the river.

The sixth regiment of cavalry was inspected again on Saturday evening, to examine the performance of the sword exercise, and the attack and defence; and the next morning the commander-in-chief proceeded to the lines of the regiment, when his excellency minutely inspected the men, horses, accoutrements, &c.

On Monday morning the whole line was out under major-general Fuller. The commander-in-chief arrived on the ground about sunrise, when the manœuvres commenced. Several evolutions of attack and retreat were performed, supported, and carried, as occasion required, by the cavalry and light infantry. The light infantry companies of the several corps formed one special corps, to be applied according to circumstances. The whole line under arms exhibited a fine appearance.

On Wednesday morning, the commander-in-chief inspected the artillery, under captain Francke, and expressed his satisfaction at their state of discipline and order.

* See the Government Notification.

Occurrences for SEPTEMBER.

Sept. 18.—On Saturday morning the 18th instant, a salute of seventeen guns was fired from the battery of Fort St. George, on the occasion of his excellency Sir E. Pellew hoisting his flag on board his Majesty's ship Culloden, as Vice-Admiral of the Blue. This salute was returned by the Culloden; after which seventeen guns were fired by each of his Majesty's ships in the roads.

Sept. 20.—On the 5th instant came on a violent gale of wind, at Vizagapatam, which increased considerably until towards six o'clock in the evening, accompanied with a little rain: it first blew N. W. then N. N. E. N. E. by E. and latterly S. W. when the gale was so considerably increased, as to force from their anchorage no less than twenty Pariah vessels, laying in the roads, laden with salt for Bengal; all of which were driven on shore, and went to pieces.

From the fort to Voltaire, a distance of about four miles, the shore is covered with parts of different vessels, which have been driven on shore. There have not been any lives lost. A vast number of poor people are ruined, as they purchased the salt, and were taking it on their own account to Calcutta.

The gale abated on the 6th, and there had been a great fall of rain.

Occurrences for OCTOBER.

Oct. 18.—Yesterday a deputation of subscribers, Europeans, descendants of Europeans, and Natives, waited on the honorable Sir Henry Gwillim, Knight, at his Gardens, with the under-written address, when Mr. John Branson, foreman of the deputation, addressed the honorable Sir Henry Gwillim, Knight, as follows:—

HONORABLE SIR,—We the Europeans, descendants of Europeans, and Natives, here present, have been deputed by the subscribers, for the purpose of presenting to your honor this address.

All we have to add is, that as we are unanimous as to your merits, we consider ourselves highly honoured in having been deputed on this occasion.

COPY OF ADDRESS

To the honorable Sir Henry Gwillim, Knight, Justice of the Supreme Court at Madras, &c.

HONORABLE SIR,—We the undersigned Europeans, descendants of Europeans, and Native inhabitants of Madras, reflecting on your accurate knowledge of the law, your ardent love of justice, your disinterestedness, your easiness of access, your humanity and tender feelings for the poor and distressed, and on that spirit and firmness so necessary and so eminently possessed by you to establish the law of Great Britain, in a place where by many they have never been known, and by others but imperfectly; cannot but feel extremely sorry

sorry to learn you are for a time to leave us.

On this occasion, therefore, we should be extremely ungrateful, as well as void of public spirit, did we not, as we do, feel it our bounden duty to testify the sense we have of your public character, to offer you our grateful and warmest thanks, for your indefatigable exertions, to make the law known and respected, and to support us in our liberties and rights: and it is with pleasure we add, the name of "Sir H. Gwillim" will be ever dear to us and to all lovers of justice.

That the Almighty may preserve your health, develope your merits to a grateful country, and from thence again restore you with increased powers to administer justice among us, is the ardent prayer of Honorable Sir,

Your honor's most obedient faithful Servants.

Bearing 1006 *Signatures.*

Madras, October 17, 1808.

To which the honourable Sir Henry Gwillim, Knight, has been pleased to reply as follows:—

St. Thomè, October 20, 1808.

Sir,—Give me leave to convey through you my warmest thanks to the Europeans, descendants of Europeans, and Native inhabitants of Madras, for the very kind and affectionate address which I have received from them by your hands. I feel an honest pride in such a testimony to my public conduct; and though they far over-rate my humble services, yet I know that they speak what they think, and that it is not the language of adulation. Indeed, I have in the address, a satisfaction not very common upon occasions of this kind: I am sure that it is the free and vo-voluntary act of those who signed it. Whether I shall return to this country must for the present be a matter of uncertainty; but if I should, it will be, I trust, with more efficient powers for the administration of justice. Wherever I may be I shall always pray for the happiness and prosperity of my fellow subjects in India, both Natives and Europeans; and among the many obligations they have conferred upon me, I shall particularly remember the very handsome manner in which the address was presented to me by yourself and the respectable inhabitants who accompanied you to my gardens.

I am, Sir,
Your obliged and
obedient Servant,
H. GWILLIM.

To Mr. Branson.

On Friday the 21st of October, Sundy Chingalvaroyen, attended by many of the principals of his cast, waited on the honorable Sir Henry Gwillim, Knight, at his gardens, and presented the following address:

To the Honorable Sir Henry Gwillim, Knight, Puisne Judge of the Supreme Court of Judicature at Madras.

My Lord,—That during your lordship's administration of several years as Puisne judge in the Supreme Court of Judicature at Madras, no one spoke of your lordship's smallest deed without praising your lordship's amiable manners, humanity, and wise arrangement for the best of the country and its inhabitants. We are convinced by several occurrences that your lordship is the person possessing the love of all the inhabitants of Madras. Under your lordship's administration the inhabitants enjoyed true happiness and prosperity; your lordship's care for their

their well-being extended itself so far as not only to favour them with due justice in honor of his Britannic Majesty, but also perceiving that a difference arose among us to hold their meeting for the performance of our ancient customs of our cast, which we have been deprived of since the death of our predecessor, who performed the same without the least tendency to a violation of their ancient rules, and your lordship's impartial justice in the above great matter done to our peace and everlasting benefit for the people in public. Although we cannot forbear returning our due praise, as it would be an evident mark of the greatest ingratitude to your lordship, we however are not desirous that this address should pass for an eulogy only---by no means; we intend and wish hereby your lordship will deign to accept from us this submissive address, as due to your lordship's merits; we therefore take the liberty to offer to your lordship this address, not as a recompence for the benevolence we have enjoyed, but (permit us to say) as a public acknowledgement of all the natives; we return again to your lordship with due deference, with prayer to the Almighty, to be your lordship's guide on leaving the country of our habitation, and to make your lordship's voyage prosperous. That your lordship may live long under the protection of the mild God! we pray that the supreme being whom we adore continue health to your lordship both in mind and body, and bestow all manner of happiness! May all your undertakings with his Britannic Majesty and the nation be crowned with success! May your lordship soon return safe hither again, that we and our families may be rejoiced, singing hymns in praise of the great God, the living soul of the universe! And we conclude hoping your lordship will not, contrary to your lordship's good temper, and natural and innate civility, despise the address which in a most submissive manner is presented by,

My Lord,

We have the honor to remain, with the highest sentiments of gratitude and respect, your lordship's dutiful and most obedient and faithful humble servants,

(Signed) Sundy Chingalvaroyen, Headman, and 240, &c. in assembly of Tondamandalum Toolooba Oyer Vellala Cast of Ponnary Verpet Naudoo Inhabitants of Madras.

To the Headmen in Assembly of the Ponnary Tondamandalum Tooloova Oyer Vellala Cast, at Madras.

Accept my best thanks for the very tender and affectionate address, which I have received from you. You express thankfulness for protection in the customs of your cast. It is but justice in me to say that the correct and loyal conduct of the inhabitants of Madras in general, particularly entitles them to be upheld in their rights and their customs, as it shews how sensible they are to the blessings of a free and equal administration of justice.

Your very pleasing expressions of regret at my departure, and of approbation of my public conduct, have made a deep impression upon my mind; and the Vellala cast of Madras for this kind remembrance of me, will always hold a place in my regard.

That you may all live long and happy is the sincere wish of,

Your's faithfully,

H. GWILLIM.

Phœnix, Madras Roads,
October 25, 1808.

On

On Monday morning, the 24th instant, Chiniah Moodeliar, accompanied by many of the most respectable Native inhabitants of Madras, waited on the honorable Sir Henry Gwillim, at his gardens, when the following address was presented to him, with a very appropriate speech by Chiniah Moodeliar.

To the honorable Sir Henry Gwillim, Knight, &c.

HONOURABLE SIR,—The Natives of Madras, in common with the other inhabitants, heard some time ago with much concern, that your presence had been required in Britain, for the purpose of explaining some matters connected with the situation which you have during many years so ably filled in this place; but, as the abilities, zeal, and integrity, with which you had executed the duties of your high office, we e well known, hopes were entertained that on a further consideration of the matter by the government at home, your personal attendance would not have been deemed necessary.

It is with the greatest regret that we now learn, that these hopes have not been realized, and that the fleet about to sail, is to carry from us, (although we trust but for a short time,) a person, whom the Native inhabitants of this settlement have, from the moment of his first arrival amongst them, been accustomed to consider as their father, and their friend; to whom on all occasions of difficulty, and distress, they have resorted for advice and assistance: and whose acts have in every instance, most unequivocally evinced that he has felt a more than common interest in their welfare and happiness.

The able manner in which your judicial proceedings in general have been conducted, is universally acknowledged;--- but the labour, patience, temper, and perseverance, with which you have investigated many intricate causes which have been brought before you, wherein Natives alone were concerned, cannot, perhaps, be better appreciated than by ourselves:---We beg to assure you, that they have impressed on our minds the strongest feelings of gratitude and respect for your character, and that we have viewed with admiration your decisions on those occasions, the justice and equity of which, cannot fail to hand down with veneration and esteem, the name of Sir Henry Gwillim, to the Native inhabitants of Madras, from generation to generation.

In taking leave of you, we request permission to return you our warmest acknowledgements for all the favours you have conferred upon us, and to offer our best wishes that you may have a safe and speedy passage to your Native country, and that you may never experience any thing in this life, but a constant increase of honors, and of happiness.

With the greatest respect, we beg leave to subscribe ourselves,

Honorable Sir,
Your most faithful,
Most obedient,
and obliged humble Servants,

Manale Chiniah Moodeliar.
M. Moodookistna Moodeliar.
C. Singana Chitty.
C. Pedda Sawmy Chitty.
C. Chinna Sawmy Chitty.
Pummel Soobaroy Moodeliar.
C. Veerasawmy Braminy.
Vencata Rangum Pillay.
M. Rungiah Naick.
S. Vencatachellah Chitty.
Veniagah Moodeliar.
Chinnatomby Moodeliar.
Connor Mootiah Moodeliar.
Shabaubady Moodeliar.

T. Soma-

T. Somasundra Moodeliar.
Singery Vencatachella Moodeliar.
P. L. Paulgapah Moodeliar.
A. N. Nallatomby Moodeliar, and upwards of 400 respectable Native inhabitants.

To the Natives of Madras.

I feel very sensibly the kind disposition you have manifested towards me in your address of this day, and the warmth with which you express your regret at my leaving India. You do me no more than justice in saying that I have had your interest at heart. Your gentle manners and modest deportment very early attached me to you, and made the discharge of my duty a pleasure to me. It was my duty to extend to you the protection of the laws; it was my duty to administer your own laws to you pure and such as I found them in your most revered authorities. If I have done this, I have only the merit of having done my duty, and do not deserve the praises you have so affectionally bestowed upon me. Be assured that though locally separated from you, my heart will be ever with you, and that your happiness will be among its warmest wishes.

I am, with true regard

Your faithful Servant,

(Signed) H. GWILLIM.

St. Thomè, 24th October, 1808.

On Monday afternoon, the honorable Sir Henry Gwillim, Knight, one of the Puisne justices of his Majesty's Supreme Court of judicature at this presidency, embarked on board the honourable company's ship Phœnix captain Ramsden, for Europe.

Sir Henry was met at the beach by his excellency lieutenant-general Hay Macdowall, commander-in-chief, the honorable Sir Benjamin Sulivan, Knight, and a most numerous assemblage of European and Native inhabitants of this settlement---the principal Khans of the Mussulman and the heads of Hindoo casts, personally paid their respects to Sir Henry Gwillim, prior to his reaching the boat, and a few of them proceeded with him on board.

A salute of seventeen guns from the garrison of Fort St. George announcing his leaving the beach, and a like salute from the honorable company's ship on his arrival on board the Phœnix.

On Sunday last a salute of 17 guns was fired from the battery, on the embarkation of his excellency vice-admiral Pellew; a similar number of guns were discharged on his arrival on board H. M. ship Culloden. On Sunday lieutenant-general Macdowall paid a visit to Sir Edward. His excellency was welcomed on board by a salute of 17 guns from the flag ship.

Occurrences for NOVEMBER.

Nov. 3.—On Tuesday the 1st instant, James Hawley was tried for the wilful murder of James Mackenzie, a serjeant in the Madras European regiment, and after a minute examination a verdict was returned of---*Not Guilty*. The following are the notes, as taken down at the trial.

William Hickey, private in the M. E. regiment was the first witness called, --- he deposed that about

about one in the afternoon of the 23d May, deceased came to the prisoner's house, which is close to the main-guard. Deceased was much in liquor. He asked Anne Hawley, the prisoner's wife or woman, (the witness did not know which she was) for some arrack; she said she had got none; the prisoner told Mackenzie that if he did not quit his house he would take his life, and immediately took up a common table knife lying on the window. Deceased upon this stepped back a few paces, and Hawley ran at him with the knife, stabbed him twice in the belly, and then knocked him down and jumped upon him. Prisoner's wife then called out murder, which induced him to say, "if either you or Hickey say a word I'll take both your lives." He then called upon witness and Anne Hawley to assist him in carrying out the body, which, from fear of their lives they did, and placed the body above five or six yards from the door: on returning into the house the witness felt very weak, and asked Mrs. Hawley for some water, which she gave him, and immediately witness dropt down in a faint.

Cross-examined by Mr. Marsh, counsel for the prisoner,---came to Hawley's house at eight in the morning; murder was committed at one. Came there as a friend of the prisoner's, not of his wife's, as they came from the same town; was not then acquainted with Mrs. Hawley, but since the prisoner was taken up for the murder, witness and Anne Hawley have lived together as man and wife. Prisoner was not in the house during the whole period between eight and one o'clock, but went away about nine to answer his name at the barracks, and returned soon after much in liquor; he remained at prisoner's house because he had asked him; did nothing at all whilst he was there; took no refreshment there. Mrs. Hawley poured out a dram, and he took only half of it; when prisoner rushed on the deceased, his wife called out murder. Witness did not call out, being unable from fear of the threats of the prisoner against his life; was therefore afraid to open his mouth; witness and the woman assisted in taking the body away. Prisoner's house is upwards of forty or fifty yards from the barracks; had witness been able to have called out loudly he might have been heard at the barrack-guard; knows not how long he was in a faint; can't say if more or less than an hour; when he came to himself he found he was inside the house; woman did not tell him how long he had been in a faint; he sat down on a cot till six o'clock, when he went to answer his name at roll-call, proceeded afterwards to his barracks, and cleaned his things for parade next morning; never told of the occurrence, until he came before the judge at Masulipatam some days afterwards; did not mean to conceal the murder; did not go of his own accord to the judge but was ordered there by his commanding officer; saw the body next morning when people were all about it; it lay where they had placed it at the corner of prisoner's house.

Ann Hawley, alias Fullen, examined by prisoner's counsel, stated that she never was married to the prisoner; no ceremony of the church was ever read over them.

Thomas Madan, sworn, deposes that the last witness lived with prisoner as his wife, and was supposed to be such. Never saw any

certificate

certificate of their marriage. Can read.

James Dalton, sworn, says that he saw the marriage certificate at Masulipatam in the woman's possession; she gave it him to read which he did; it appeared to be similar to that of his own marriage; saw her tear it before lieutenant Kelly's face, who was the officer of prisoner's company, when she wanted to part from her husband.

The honorable the chief justice did not consider the fact of a certificate as being conclusive evidence of a marriage, as it was a document very easily to be forged, the witness too denying the fact of a marriage with the prisoner on her oath.

Anne Fullen was then admitted as an evidence for the crown; was living with the prisoner on 23d May last; about nine o'clock in the morning of that day prisoner went to the barracks to answer his name, and returned about twelve o'clock very drunk; about this time deceased came in and asked for arrack; witness told him she had none; prisoner told him if he would not leave his house he would take his life; prisoner and deceased were both drunk; when threatened deceased went out, and prisoner followed him, having in his hand a table knife which he had taken from the window, and on coming up with, ran against the deceased; cannot say whether prisoner stabbed him or not, as she did not see the deceased till he was down, and the prisoner stamping upon him. Hawley then called upon witness and James Hickey to assist him in carrying away the body, which they did; took him to the corner of the house; when Hickey came back to the house he asked for a glass of water which witness gave him; prisoner also returned to the house, took his shoes, and then went up to the barracks; the men of the regiment found the body next morning and carried it away.

Cross-examined,—states that she went by the prisoner's name whilst she lived with him, but does not go now by the name of Hickey, with whom she now resides. Accounts for this by saying that prisoner was the person who enticed her from her friends, and therefore she went by his name. Hickey came to her house about eight in the morning; prisoner went out about eight or nine, leaving Hickey behind; during prisoner's absence witness was employed in sewing; prisoner returned about twelve o'clock, and about one Mackenzie was killed; there was no person present but self, Hickey, and prisoner; prisoner's house near the main guard; witness did not make much noise, but did call out to Hickey to save Mackenzie; said nothing but this; was not much alarmed; Hickey had no side arms on; assisted when threatened by the prisoner, in conveying away the body; went about eight to the prisoner to the barrack yard, but was not there more than three minutes; saw the guard there, but did not tell what had happened; Hickey then remained at her house till three or four o'clock on that day, and was also there the next morning, she did not play at cards with him the next day, nor does she recollect having done so a few days afterwards; witness was confined in the barrack guard on the day the body was found, so was Hickey that night; she remained in confinement from Tuesday until Sunday evening; did not see Hickey after she was confined until the judge

judge examined her; after the murder, prisoner took his shoes and went away, and did not return home until eleven o'clock at night; lives with Hickey on the same terms as she did with Hawley; used to quarrel sometimes with the prisoner, but in no great degree: the reason of her complaining to lieutenant Kelly was because Hawley beat her, and was jealous of her.

James Dalton sworn; informs the court that he went on the 23d of May last, at two P. M. to the prisoner's house for a dram of arrack, Mrs. Hawley and Hickey were much agitated, and she trembled so that she could not give witness the liquor he asked for; witness said give me the bottle, and I'll help myself, which he did; asked her why she was so confused, she replied her husband was confined in the barrack - guard; asked her what for, and she made no answer; witness looked round the house, and saw much dust in various places on the floor, and thought he heard a groan in the house; on asking what that noise was, Mrs. Hawley said that serjeant Mackenzie was much intoxicated with liquor, and that she and Hickey had taken him out of the house, and covered him over with a parcel of mats; went to the place, and saw a person lying there so covered, and the left arm being from under the mat the witness knew by the lace that it was serjeant Mackenzie; he wanted to uncover him, but the woman would not let him, catching him hold by the belt in order to prevent him; returned then to his guard; the prisoners in the barrack guard said they heard great cries of murder from Hawley's house; at their request witness returned to the house, and asked Anne Hawley and Hickey what the cries of murder were for; they replied none had been there; witness again went back to the main-guard; on the day of the murder witness had seen the deceased at about twenty minutes before two going, as he said, to Hawley's house; witness did not go to the house again until the next day, when the corpse was found; it did not appear to have been removed from the spot where he saw it at two P. M. the day before; it was carried to the hospital. Hawley and Hickey were released from confinement on the Friday after the death of Mackenzie.--- About seven days after the murder, witness overheard the following conversation between Anne Hawley and Hickey, near the barrack-guard; Anne Hawley asked Hickey what was the matter with him? He said he could not rest in the barracks nor any where else. She asked why? Because, he replied, he was the only man that murdered Mackenzie. She told him not to mind that; they had only to take a couple of false oaths, hang Hawley, and clear themselves. He then reminded her that she had bit Mackenzie in the private parts, to keep him from hallooing whilst he murdered him; she answered, never mind that, there is no person knows it but ourselves, by taking a false oath at Madras we can hang Hawley, clear ourselves, and then you and I can live happy together. When witness had heard this, he said aloud, I am very happy I have heard this. Anne Hawley upon this went into the house. On his cross-examination the witness deposed that Hawley was confined for a breach of duty on 23d about one o'clock; never knew him to be otherwise than a good character;

not

not of a revengeful disposition, but rather the contrary.

Cornelius Macguire, sworn,—Was sentry at the main-guard on 23d of May, over some prisoners from ten to twelve at night. Just before he was relieved he challenged a woman who was passing along. Did this twice without receiving any answer, but on the third challenge she said, "Axe the Devil, my grandfather." The guerry then struck, and witness was relieved; the corporal sent him to see who the woman was; found her near her house, and saw that it was Mrs. Hawley; asked her what was the matter with her that made her out at this late hour; she replied she was afraid of a spirit and of being murdered by Hawley; asked her for a light; she said she had none; witness went and brought one from the main-guard, and then stopped with her until the guerry struck one; during which time she told him Hickey had been there from 8 in the morning until sunset, and that Hawley was a murderer, and she could not stop any longer with him; witness then left her, having to go the rounds.

Mrs. Dalton sworn; on the 24th May, met Mrs. Hawley running towards the bazar, the day the corpse was found; asked her what was the matter; she said serjeant Mackenzie had been murdered in her house; asked who by; said her husband was confined for murdering him: she was obliged to make her escape, or she should have been confined too, as there was a file of men after her, to take her; asked how he was murdered, said he was stabbed three times in his private parts.

William Symes, was corporal of the main-guard, on the 23d May; saw some person lying covered with mats, went and uncovered the body, and saw it was Mackenzie's, with an old shift and petticoat over him; there was some blood on his right groin, and some on his hip; did not unwrap him, to see if there was any hole. In the mean time, Mrs. Hawley, William Hickey, and James Johnson, came out of the house; asked her, if she knew any thing of the body; she answered no, she had not seen Mackenzie, since the day before, at twelve o'clock; clapped her hands together, and said, so help me God, what could bring the man, meaning the deceased, here.

On the 24th May last, was acting serjeant of the main-guard, and was told Mackenzie was lying dead; reported it to Captain Andrews, and was ordered to remove the body; he had his jacket and hat on, and his gaiters; ordered him to be carried to the hospital; saw blood upon the upper part of his thigh, but did not examine it. Anne Hawley said that Hickey and she took a leg, and the prisoner the head.

Mr. Macleod, assistant-surgeon, deposed that there was a contusion on the breast towards the right side, and a similar appearance within, and that side of the breast very full of blood; the body was very putrid, but there was a black spot on the right groin, and on removing the integuments there was a corresponding black spot on the intestines, seemingly a punctured wound by a pointed instrument; the body was so very putrid that it could not be minutely examined.

Prisoner made no defence.

F. Cavenagh, examined by Mr. Marsh,—What time on the 23d May was prisoner put into confinement? saw him there before one o'clock, about fifteen minutes;

Mackenzie messed with witness, and witness wanted him at half past one, to come to dinner; Mackenzie said, I understand Hawley is confined, and I am going down to see Nancy his wife.

Corporal Bosse,—about three minutes after one, saw him drunk in the barracks; ought to have attended the doctor at that time; reported him to the doctor, who desired him to be confined, and he was confined by me about twenty-two minutes after one, when I found him in the barracks; was not released on the 23d that he knows of, but cannot speak positively.

John Vaxon, Constable,—was with the prisoner when examined before the justices at Madras, saw Mrs. Hawley, and heard her say she was not married to the prisoner, and that she would try what she could do to get him hanged.

November 4. William Hickey and Anne Fullen were brought to the bar, and their indictment read, which imputed to them the wilful murder of Serjeant Mackenzie of the Madras European regiment, on the 23d of May last,---they both pleaded not guilty.

James Hawley sworn, interrogated by prisoner's counsel—says he is lawfully married to the female prisoner at the bar. From this declaration his evidence could not be admitted.

Corporal Symes, being called and sworn, deposed, that on the 24th of May last he was corporal of the main-guard at Masulipatam; about half past six in the morning, as he was going to the necessary, he heard James Sullivan say, "I wonder if Serjeant Mackenzie lays now where he did yesterday." He asked where that was. Sullivan answered over in this compound, on this he looked over, and saw somebody covered up with mats, and shifts, and petticoats. He then states that he uncovered the body, and found it to be the body of the deceased Serjeant Mackenzie; says it had blood on the right groin, and some above the hip. At this time, William Hickey and Anne Hawley, alias Hickey, the prisoner, and James Johnson, came out of the house where Mrs. Hawley and her reputed husband lived. It was formerly their necessary where the body was laying. The witness asked if they knew any thing of the body; Mrs Hawley clapped her hands together, and cried out, "So help me God, no, she could not think what brought the body there;" she said she had not seen the deceased since the day before, about twelve or one o'clock. Witness then returned to the guard-room, and reported the circumstance to the acting serjeant-major, Nuthall; witness says, the body was covered with a petticoat and shift. Being cross-examined, said that Anne Fullen, the prisoner at the bar, went at that time by the name of Hawley. That the deceased during the night before had been reported absent twice. Says he had occasion to hear the report, being orderly corporal. Stated that Hawley was confined on the 23d, at twenty minutes past one, not for the murder of the deceased, but for drunkenness. Stated that any body might have passed without noticing the body, that the petticoat and shift were on the right side of the body.

Serjeant Nuthall called and sworn; says, on the 24th of May last, he was acting serjeant-major of the Madras European regiment, at Masulipatam. A report had been made to him, by corporal Symes, that serjeant Mackenzie was

was found lying dead; this he was ordered to report to the commanding officer.—Says he found the body between the compound wall of a house, occupied by Hawley, and the prisoner Fullen—The body was lying dead on its face, had a hat on, had shoes and gaiters on—laid on the cot; it smelt very offensively; he observed, he says, that one side of the face was very black, observed some blood below his hip, and on his pantaloons—he removed no part of his dress—but removed the body to the hospital.—The witness stated, that he did not know where Hawley was the day before.—On his cross examination by Mr Gahagan, stated that one of his regiment was found drowned. It was reported to the witness, he says, first, by Anne Fullen the prisoner; stated that he came to Madras to give evidence on Hawley's trial. Witness denied having stated to the coroner, that the circumstance of the man's being drowned, was first reported to him by an European woman, whom he had never before seen.

James Dalton called and sworn; says he knows the prisoners at the bar—and saw them about 8 in the afternoon of the 23d May last.—Saw them in a house about 20 paces from the main guard, but does not know to whom the house belongs; it was then occupied by Hawley and the prisoner his wife, He saw them in the house; went there for a dram of arrack; when he went in, says he saw Anne Fullen and Hickey, the prisoners, they were together upon a wooden cot, very much confused indeed; says, he applied to Mrs. Hawley, (alias Fullen) for a dram of arrack; she took up the bottle, but dropped it out of her hands twice; took it up a third time, when witness asked her to let him take it himself; he took one dram, and paid for the same. Witness then asked her what was the matter with her, she appeared so much confused: she made no reply; asked a third time, when she said it was because her husband was confined in the barrack-guard. Witness asked her what he was confined for, and she said he was confined for murder, or something to that purpose. Witness asked her who he had murdered, but she made no answer. Witness looked about the house, and saw a great deal of dust thrown up about the floor, and thought he heard some person groaning. Witness asked her who it was? she answered it was Serjeant Mackenzie, (the deceased) who was much intoxicated with liquor; she said that Hickey, (the other prisoner) and her, had carried him and laid him outside—there was a parcel of clothing and mats covered over the deceased. Witness went outside to see him, deceased was lying outside the house, in the corner, about six paces from the door; only a wall parted the necessary from the house. Witness saw the deceased's left-arm jacket-sleeve uncovered, which made him know who it was; he knew it from the lacing of the jacket. Witness was going to look at him, but the prisoner, Fullen, caught him by the belt, and said, "For God's sake don't uncover him." Witness then went away to the guard, not suspecting what had happened; the guard told witness they had heard a great deal of crying out at Hawley's house; the prisoner Fullen denied to witness there having been any crying out of "Murder," there, on the witness's going again to the house; witness again returned to the guard, observed that the prisoners were

both more confused than before. Witness saw the body of the deceased on the 24th. Prisoner Fullen was confined about ten in the morning; in the afternoon the body was buried. Witness says, there was a court of inquiry by order of the commanding officer. Witness says the prisoners were confined till they were examined before the Judge, Mr. Tod. After she turned evidence against her husband she was released. Witness saw prisoners in conversation together, about seven days after they were released, at a new house she had taken beyond the barrack-guard; witness stopped and heard prisoner Fullen ask Hickey (other prisoner) what was the matter with him? he answered he could not rest in the barracks or out of the barracks; she asked him why? He said, I was the man who killed Mackenzie; you know you (Fullen) bit him in the private parts, to prevent his hallooing while I was murdering him. She said never mind; by taking a couple of false oaths we shall hang Hawley (her husband) and clear ourselves. Witness then discovered himself to them, and said to them I am glad I heard what you said. Witness says he saw the deceased go by the main-guard about twenty minutes before two o clock on the 23d; he was going towards Hawley's, and the next time he saw him was a little after two; the deceased seemed to be intoxicated when going towards Hawley's.

On his cross-examination witness said, the main guard is about twenty paces from Hawley's house. Mrs. Hawley, (alias Fullen the prisoner) used to sell arrack; it was about two o'clock he said when he went for arrack; witness says she told him her husband was confined for murder, or something to that purpose; witness said he was ordered down to give evidence against Hawley.

James Willock was next called, and sworn; said, he remembers the two prisoners having been confined at Masulipatam for two or three days,—remembers the day they were released; witness heard the prisoner, Fullen, say to Hickey, stick to what you have said, and we shall do.

Cornelius Macguire called and sworn; deposed that on the 23d May last he was sentry of the main-guard—says about a quarter before 12 o'clock, Mrs. Hawley, (alias Fullen the prisoner) passed by, and he challenged her; she made no reply; the third time she told him to ask the devil her grandfather; witness followed her to the house, and found it was Mrs. Hawley, (the prisoner Fullen) sitting with the tail of her petticoat over her head; witness then asked her what brought her out at that time of the night; she said that Hawley had broke out of the guard house, and wanted to take her life; she said she was afraid of spirits being in the house; witness then says, he went to the main-guard, and got a light, and went with her into the house; he then asked her if she had a lantern; she said she had none; he went then and got half a rupee worth of arrack, and they both took some; she said that William Hickey, the prisoner, had been with her from eight o'clock that morning, to sunset in the evening; she said that Hawley was a murderer, and she would stop no longer with him; says he saw Hawley go from his own house towards the barracks.

Being cross-examined, he stated, that Corporal Henry Bosse saw Hawley on the 23d of May, at nine

nine o'clock in the morning, and again at three minutes past one, that he was then drunk and dirty, that he had been ordered to attend the surgeon, but could not go on those accounts, and that he was afterwards confined by order of the surgeon.

John Vaxon being called and sworn, deposed, that he attended at an examination of witnesses at Madras on the charges preferred against James Hawley, when he heard Mrs. Hawley, the prisoner, say, I am not married to (the prisoner) Hawley; he has given you a false report; she afterwards told witness she was only a concubine to that man, (did not mention any name) but added she would get that fellow hanged if she could.

John Madden was then called and sworn, he stated that he was a private in the Madras European regiment, that Hawley was a prisoner in the barrack-guard with witness on the 23d; came there, as near as he can recollect, about 20 minutes past one.

Sir Thomas Strange then summed up the evidence, in a very perspicuous manner, and after a charge of some length to the jury, they retired. On their re-entering they returned a verdict of Guilty against both prisoners.

November 9. Early this morning William Hickey and Anne Hawley, alias Fullen, and likewise James Woodcock, for the murder of serjeant Breem, of his Majesty's 34th regiment, were executed, pursuant to their sentence. We do not understand that either Hickey or Anne Hawley made any confession that they were the murderers of serjeant Mackenzie, but we are informed, from competent authority, that they both admitted that James Hawley, who was first tried for the murder, was perfectly innocent thereof, he not having been at the house at the time. We have likewise heard that James Woodcock admitted the justice of his sentence, inasmuch as he was accessary to the murder for which he has suffered.

To the Editor of the Government Gazette.

Sir,—The accompanying address wasthis morning put into my hands, at the place of execution, by the late unfortunate malefactor, James Woodcock, who I regularly attended in my professional capacity, during his confinement in the felons jail.

He particularly requested that it might be made as public as possible, by publishing the same in the first newspaper, with the sincere wish that it might benefit his fellow soldiers in general, but more particularly the men of his own regiment, who required admonition; and he trusted that his melancholy fate would in future operate as the most awful warning to them.

God grant that it may be productive of the desired effect, and put a stop to that depravity of heart which has been so horribly conspicuous in the numerous instances of wilful murder for which the respective parties have so deservedly suffered at this place at the fatal tree.

I am, Sir,
Your obedient humble servant,
EDWARD VAUGHAN,
ACT. SEN. CHAPLAIN.

Madras, Nov. 9, 1808.

Countrymen and fellow soldiers —You are about to see me suffer the just punishment of my crimes; not that I am immediately guilty of taking away the life for which I am condemned, but for not using, as I ought, my utmost endeavours to

to put an immediate stop to such an atrocious act. I therefore hope, fellow soldiers, that the execution you now see going to take place will for ever be sufficient to deter any of you present, and all those that may hear of my unhappy fate, from entering into any combination with, or conniving at, any person that may be depraved enough to take away the life of a fellow creature, for depend on it, though you may for a time escape the stroke of justice, yet there is an heart-searching, and an all-seeing God in Heaven, that will not suffer them to pass unpunished through this world; and I am very sorry to say, that most of the soldiers in this country are terribly given to liquor. Let me, therefore, in the name of God, admonish you to keep from that shocking crime; much better would it be for you to spend that time in reading your bible, and other good books, which I am sorry to say too many give up to drinking and debauchery, which only brings remorse on the guilty heads of those that give themselves up to it, and few, very few come to this dismal place to suffer, but own their love of drink has been the occasion of their unhappy ends, as by inordinate drinking we deprive ourselves of our nature, and become brutes, and are ready to commit any other crime that may, while in that state occur to us.

I am also sorry to say, that among the Europeans stationed in the interior part of this country, and in particular among the men of his Majesty's 34th regiment, a most inhuman opinion prevails, that should they take away a life, they would have the pleasure of leaving their regiment, and coming to Madras, and stand a chance of getting clear from the bar of justice, and by that means get rid of the service; but let me again beg of you not to suffer such ideas into your head; for though you may deceive your earthly judges, yet you cannot deceive your heavenly judge, whose wisdom has made itself manifest in bringing to light, in this world, almost every person that has been any way concerned in such inhuman acts, a most striking instance of which is manifest in my unhappy case.

May the Great God of his infinite mercy grant that my poor admonition may sink deep into the hearts of my hearers, and may he grant you his holy spirit to help to deter you from doing any act that may disgrace your religion or country, or bring you to the shameful end I am now to suffer.

J. Woodcock.

Address from the principal inhabitants at Tranquebar, to Thomas Newnham, Esq. of the Hon. Company's civil service, on his departure for Seringapatam.

Sir,—You will hereby kindly receive, at the moment you leave us, our warmest and most cordial thanks for the laborious pains taken in order to further the welfare and internal tranquillity of this colony; for the gentleness with which every one of your measures were marked, for that mildness in your administration which forced us to esteem the authority that governed us, and which, for the moment, brought us to forget the unfortunate situation of our respective nations towards one another. Be you thanked for the regard shewn to our laws, for the unremitted assistance you at all times willingly and cheerfully bestowed upon the executive justice, and thereby made it possible for the same to go the straight and even road, undisturbed by

by cabals and chicanery. Be you thanked for the mildness with which you treated the faulty, for the lenity with which you tolerated the weak, for the readiness with which you endeavoured to assist, by your compassion, where no other assistance was possible. Never was your ear closed to the complaints of the sufferer, to the petitions of the needful; ever was your hand open, and ever ready to help and relieve; the tears of the sufferers that you wiped off, and the silent blessings of the indigent, is your simple but select eulogium; the unaffected sorrow of every citizen, at your retiring, confirms, in the strongest manner, this panegyric.

These few lines contain no flattery; why should we stoop to flatter? it is the candid offering of grateful hearts, that closely have been united to you by manifold benefactions: it is an everlasting offer of gratitude to the man who, for the first time, occasioned us sorrow when he left us. The monument which you have raised among us, will remain everlasting, because regard for you is its basis; gratitude and thankfulness have placed it, and remembrance of all the mild and friendly virtues which make mankind amiable, and the man invested with authority estimable, shall maintain it erect amongst us until the latest times.

We have the honour to be, &c.

[Here follow the signatures.]

Tranquebar, 8th Nov. 1808.

Mr. Newnham's Reply.

GENTLEMEN,—Before my departure to my new employ, which now must be immediate, permit me to return you my sincerest thanks for the address with which you have so kindly and voluntarily honoured me. Though under present circumstances, I, as a public servant of the British government, am most proud of such a testimonial being conferred on me by the principal Danish inhabitants in this place, I feel that their very favourable intentions have too highly estimated any services which I have, however willingly, been enabled to perform. The conduct, however, which you kindly ascribe to me, is what my government has wished, and in any exertions which may have been successful, I was still only performing my bounden duty in the execution of its orders, and owe my success chiefly to the ready co-operation of the inhabitants themselves. I thank you for the delicate manner in which you have adverted to the situation of the two countries, shall only express hopes that a friendly intercourse and alliance may be speedily re-established between the two governments, and that the mutual friendliness evinced by their subjects in a distant settlement, may promote this desirable event.

I shall now express how happy I am, as a private individual, in enjoying the good opinion of so many respectable Danish gentlemen, and pleased at my good fortune in being deemed worthy, considering the few months since I first became known among you, of this opinion being publicly manifested. I thank you for your general kindness and attentions, and assure you that they shall always be kept in remembrance, and this recollection will be even accompanied with a thankful sense of the conduct which I have experienced, on your parts, during my residence at this place. Wishing you all every success and happiness,

I remain, Gentlemen, &c.

THOMAS NEWNHAM.

Tranquebar, Nov. 9, 1808.

Nov. 27. Yesterday, at sunrise, a royal salute was fired from Chepauk Palace, and returned by the saluting battery of Fort St. George, in honour of the anniversary of the Nabob Azeem ul Dowlah.

The governor paid a visit of ceremony to his highness on the occasion.

Occurrences for DECEMBER.

December 17. Within these few days, the monument which was sent out from England by the express order of the vestry of Madras, to perpetuate the exalted worth of the late reverend Archdeacon Leslie, A. M. many years senior chaplain of Fort St. George, has been erected in the most conspicuous part of the church. The sculpture has the greatest merit, not only in the execution but in the design, which is chaste, elegant, and impressive. Piety is exhibited by a female figure, with the Holy Bible in her hand, which she is attentively studying, under which is the following inscription:

"The reverend Archdeacon Leslie, A. M. departed this life, on the 28th day of June, 1804, aged 58 years. His remains are interred in the burial ground of the parish, and this monument is erected by the unanimous voice of the parishioners of Madras, as a token of respect to his memory. He discharged the office of a minister, in Fort St. George, for more than 20 years, with fidelity and correctness, and during the whole period enjoyed the confidence and esteem of the community at large. His gentleness of manners, his modesty and humility, were exemplary, and his whole deportment such as became the character of a true minister of the gospel."

December 24. The officers of the 4th brigade of cavalry, (fourth and 8th regiments) have presented to Colonel Doveton, Bungsh's Umbaree elephant, captured on the 28th ultimo, as a testimony of the high sense they entertain of his conduct, and of personal regard for their brigadier.

Dec. 28. On the 22d December the commander in chief arrived at Mr. Fraser's garden house, in the cantonments of this station, and was received under the usual salute, and with an honorary guard due to his rank.

The following morning his excellency visited the Fort, and was received by the Madras European regiment, and 1st bat. 24th regt. N. I. under arms, forming a street from the main gate to colonel Taylor's house, where he breakfasted, and the officers in the garrison were presented to him; his excellency afterwards inspected the ramparts, and minutely examined the arsenal, barracks, and all other public buildings. Salutes of seventeen guns were fired on his entering and leaving the fort. The same evening his excellency inspected the company of artillery, under the command of captain Gibson, and expressed his approbation of their firing, and general appearance.

On the morning of the 24th, the general reviewed the Madras European regiment, which, after passing in review, performed a variety of manœuvres, and at the conclusion his excellency was pleased to address colonel Taylor, at the head of his regiment, nearly as follows:

"Colonel Taylor,—In performing

ing a necessary part of my duty by reviewing the different corps on this establishment, it was my particular wish to see those in the Northern Circars, and particularly the Madras European regiment; from many circumstances this regiment has in a manner been overlooked, indeed I may say neglected, placed in a corner of this extensive country, it has seldom had its practice of duty with the other corps of the army.

"Notwithstanding these circumstances, from my knowledge of your zeal and ability, colonel Taylor, I was confident I should find this corps in the high state of discipline it has this morning evinced; and it shall be my business, as much as lays in my power, to let the service benefit from this state of discipline, by calling it into more general notice; for I know that this state of inactivity must be painful to the feelings of honourable gentlemen and officers, and painful to the feelings of brave soldiers. Indeed, I am at a loss to know the reason for this neglect; this regiment has always been forward for its courage and loyalty; you are composed of the same materials as the European corps in the service, and I am certain that the same brave and generous spirit actuates you.

"Any praise I can bestow on you, colonel Taylor, individually, would add but little to the character of an officer of your rank and long standing in the army, and to one who has always given such satisfaction to his honourable employers, and to me ever since I had the pleasure of your acquaintance.

"Have the goodness to convey my thanks to the officers, who from the business of this morning appeared to have given you so much support and assistance; assure the regiment at large of my sincere approbation for its appearance this morning, and of my confident hopes that they will do justice to my partiality, if that praise can be called so, which is so justly merited."

His excellency afterwards proceeded to the race stand, where he breakfasted, and met the ladies and gentlemen of the settlement.

In the afternoon his excellency reviewed the 1st bat. 24th regt. N. I. commanded by Major Hazlewood, and was pleased to commend it in nearly the following terms:

"Major Hazlewood,—During my residence in India, it has fallen to my lot to review most of the Native corps of this army, and I must in candour acknowledge, that from what I have seen this evening, that this battalion is deficient in no one point whatever; it is equal to any, and surpassed by none.

"I was acquainted with this battalion, under a different designation, and the services of it formerly are well known. The only thing I have to regret is, in seeing you without your colours, which is owing to some oversight; but I shall direct my aid de camp to write for them. I have now to take my leave of you, and I request that you will convey to the European and native officers, and the battalion at large, my entire approbation of their performance this evening, and I wish you and them health, happiness, and glory.

BOMBAY

Occurrences for June, 1807.

June 5. The Diamond, captain Webster, of Bombay, from Bussorah, brings accounts that a few days previous to her arrival at Muscat, a party of the Joseom Pirates, amounting to the number of twenty two boats, landed, and made a furious attack on a village a little to the southward of Muscat, but they experienced so warm a reception from the inhabitants of the village, that after a long, and for some time a doubtful conflict, they succeeded in driving them back to their boats, it is said with the loss of four hundred killed, and great numbers wounded, during their re-embarkation.

Two of the Sultan of Muscat's ships had sailed in pursuit of them.—During the time the Diamond lay at Muscat, two Dingeys arrived from Cutch, who had fallen in with three of the pirates, and after a long and smart engagement, they succeeded in sinking one of them, and the other two made off, very much shattered.

Letters from Goa mention the arrival of a Portuguese frigate, in the roads, from Lisbon, last from the Brazils, having the viceroy for Goa on board: the southerly winds blowing hard and a heavy swell rolling into the bay, had prevented the viceroy from landing,—every thing was preparing on shore to receive him with all the honours and distinctions due to his exalted situation.

Subsequent advices from Goa, mention that the gale of wind having considerably increased, and the sea running exceedingly high, the Portuguese frigate, with the viceroy on board, had unfortunately driven upon the bar; the viceroy, and all the officers and crew of the frigate, were in the most imminent danger of their lives, but owing to the exertions alone of his Majesty's officers and men of the 78th and 86th regiments, they were fortunately saved.

Extract of a letter from Goa, dated 7th June: "The Portuguese frigate is entirely lost, and, in addition to this misfortune, they have to lament the loss of the register ship, Ceylon; this dreadful disaster happened last month, about fifteen miles on this side of Mangalore; the late chancellor, and several of the crew, are said to have perished. The cargo of the Ceylon was valued at 600,000 rupees. Two Portuguese brigs met a similar fate, and one brig drove into a river at Salsette, dismasted. It is reported that a frigate was seen off the coast with the loss of her masts, supposed to be the St. Fiorenzo."

Extract of a letter from Goa, dated 9th June. "On his Majesty's birth-day an entertainment was given by captain Schuyler, to the new viceroy of the Portugueze possessions in India, at which were present his excellency the late governor-general, the several Portugueze and British officers.

"The viceroy arrived at Cabo, about five o'clock, under a salute of 21 guns, and was received by a British brigade at Goa, which had been previously formed into a street, for him to pass through to the residency, with every military honour due to his exalted situation. During the repast the viceroy requesting every one to fill a bumper, rose up and gave the following toasts,

toasts, 'God save great George our King,' and, afterwards, 'May there never be a separation between the British and Portuguese nations.'

June 20. Accounts are daily received of the effects of the late gales, which seem to have prevailed with unusual violence along the whole extent of the coast to the southward of this place. Its extraordinary violence at Mangalore appears from the following extract of a letter from that place, dated 31st May. "We have had such a hurricane here on the 24th, 25th, and part of the 26th, as has not been experienced for 23 years. Every house here, except Messrs. Keats, Reads, and Reeve's, is blown down. Many lives are lost. Five brigs are stranded within 26 miles of this. I am in the court-house, and keep open table for fourteen at present, and every thing is in the greatest confusion, as you may suppose; we are doing all we can to save a Portugueze ship bound to Lisbon, from Goa. The court-house is just now an hospital and barrack for one battalion of sepoys, a stable for nine horses, a place of arms, and a barrack for fourteen or fifteen Europeans, &c. &c."

The Maria, captain Pringle, of this port, has experienced a most providential escape. Having been exposed to the storm for nearly 40 hours, the desperate resolution of running the ship on shore, as the only probable means that offered themselves to save the lives of the crew, was adopted, and as they were wearing the ship for the purpose of putting this resolution into effect, the wind suddenly shifted and abated, and enabled them, at least with much difficulty, to stand out to sea again.

It appears that the hurricane commenced, (ship being at that time, by her reckoning, in lat. 10 N and long. 74 50 east) on the 25th May, with strong gales from S E. and S. and continued raging with great violence during the whole of that day, and succeeding night. Not a sail could withstand its violence.

June 26. The day immediately after the death of lieutenant-colonel Philpot, the men of the 65th regiment came forward to their officers, and begged that they might be allowed to give each man one day's pay towards erecting a monument over his grave; this offer was most gratefully accepted, and the whole of the officers in their own names, and those of all the regiment, requested Mrs. Philpot to permit them to contribute each a day's pay, for a monument to the memory of their greatly-lamented colonel."

June 30. At a general court martial held at Trincomallee, Saptoe Battabaua, Sampsoodin Javana, and Adjie Ceylon, Native soldiers in H. M. 1st Ceylon regiment, were found guilty of desertion, and the sentence of death passed on each—but the two former having surrendered themselves to the commanding officer of their regiment, the governor of Ceylon remitted the punishment of death, and directed them to be kept in irons, and at hard labour; until an opportunity should offer for banishing them from the island for ever. The sentence on the latter (Adjie Ceylon) was ordered to be carried into effect.

Occurrences for July.

July 25.—On Tuesday last, at an adjourned sessions, the honourable the recorder gave judgment on the point of law, reserved in the case of the King *v.* Moseley. This was an indictment framed on the Statute 9, Geo. II. C. 22, commonly called the Black Act, for wilfully and maliciously shooting at captain Martin. After verdict, a motion had been made in arrest of judgment, on the ground that this Statute was not in force in the East Indies.

SENTENCE.

"Walter Borlase Moseley,---you have been indicted for the offence of wilfully and maliciously shooting at captain James Martin. The evidence against you was clear. Your defence was most prudently conducted with a view to the only favourable impression which your case admitted, and the jury shewed their merciful disposition at the moment when they felt themselves bound to convict you of the crime. After conviction you had all the advantage which could arise from every shadow of doubt concerning the law. These doubts are now removed, and it is now my painful duty to pronounce judgment upon you.

The consideration of your crime has left me in doubt, after long deliberation and painful struggle, whether it be lawful for me to abstain from inflicting the punishment of death. If, consistently with my duty to society, I may yield to the merciful recommendation of the jury, I shall think myself justified for doing so partly by your youth and inexperience, and partly by a confidence in British officers, which I trust will not be deceived. Englishmen, in this country, have, in general, some superiority of rank and education, which are, I hope, sufficient to render the dread of capital punishment not necessary to restrain them from such vulgar and barbarous outrages.

I trust that you will one day feel it to be merciful, not only that we have spared your life, but that we have sent you forth from those societies where you must have borne a perpetual brand, and read your condemnation in the eyes of every man who ever heard of your crime; and that you will have reason to be thankful that you are to become a member of that new and singular community which is founded on the very principle of amnesty, and where the absolute oblivion of all past offences is the basis of society. Every where else the penitent can only shew his sincerity after great transgressions, by being too humble to aspire beyond pardon. There alone he may venture to hope for a life of tranquillity and usefulness, and even for the possibility of regaining esteem.

This court do order and adjudge that you be transported to New South Wales for and during the term of your natural life, &c.

The court then proceeded to the trial of Muncherjee Cowasjee Parsee and Farjoilabhoy Jasserbhoy Borah. They were found guilty of stealing a number of copper pots, from the house of Burjojee Pestonjee. The Parsee was sentenced

tenced to be transported to Pulo Penang for seven years, and the Borah to stand in the Pillory facing his own shop, with labels to his back and breast, denoting his offence, and to be transported to Pulo Penang for seven years.

The court passed sentence on Bhyjee Josserjee, Meyah Caun Dhanjeebhoy who had been on a former day convicted of having in their possession a bag of copper nails, being naval stores belonging to the King, with the broad arrow marked upon them.

In consideration of these parties being strangers in Bombay and ignorant of the penal consequences of having such articles in their possession, the court passed the lenient sentence of one month's imprisonment in the gaol.

July 26.—Anchored in Bombay harbour, his Majesty's ship Sceptre, captain Joseph Bingham, having experienced a most providential escape from foundering at sea; on anchoring, the usual complimentary salute passed between the Sceptre and the garrison.

Narrative of the transactions on board the Sceptre:—

" On the 3d of May, 1807, his Majesty's ship Sceptre sailed from Bombay harbour, in order to proceed to the Cape of Good Hope station. The Sceptre being a contract-built ship, and rather weak, Captain Bingham had judged it expedient to leave behind the ship's poop carronades, in lieu of which he took on board lighter metal. On the 13th of June the ship unfortunately sprung a leak, making about ten inches water in an hour, and which continued gaining until the 19th. On the 20th, when the ship was lying to under a maintopsail, with strong gales, and heavy sea, it increased to the alarming degree of six or seven feet an hour, the water rushing in with great violence forward, which kept the pumps continually going day and night to keep her free. At this time the ship was in latitude 30 degrees south, and 40 degrees east longitude from the meridian of Greenwich, and consequently not more than a week's sail from the Cape of Good Hope, notwithstanding which they were, in their then perilous situation, reluctantly compelled to bear up, at the same time finding themselves under the disagreeable necessity of throwing six of the foremost lower deck guns, and four of the aftermost, over board, in order to relieve the ship at the extremes; they were now running for the Portuguese settlement of Mosambique, on the coast of Africa, where they were in hopes of being able to heave down, and repair the ship. On the 22d, the expedient of a fothered sail was tried, one being fothered and let over the bows, which succeeded in relieving the ship to one pump occasionally, about two or three times for a short space in the course of the twenty-four hours. The Sceptre arrived at Mosambique on the 30th of June, but unfortunately it was found impracticable to heave the ship down there, or indeed to give her even a temporary repair. Under these circumstances a vessel was hired to accompany the Sceptre to Bombay, as knowing from what they had experienced at sea, and in moderate weather, by the means of a glazed tube partly immersed in the water, they could see a hole in the starboard bow, low down, and close to the stem, about the size of a hat, eaten by the worms, into which the water rushed, and the keel under the step of the foremast

mast apparently almost in two, as well from the representation of the divers, one of whom had put his arm entirely up through the opening of the keel,---under such a condition the ship was certainly not safe to be trusted by herself at sea.

"On the 18th of July the leak increased to nearly as much as before, the sail which had been put over the bows, having after a few days gone to pieces, but fortunately some of the oakum had worked out. Immediately another fothered sail was got overboard, which almost instantly relieved the ship in the same manner as before, to one hand pump occasionally, and continued in the same state, until this day, Sunday, when it broke out again as bad as at first."

They received every attention and assistance from the Portuguese government at Mosambique.

Extract of a letter from a Gentleman at Bussroah, dated June 1st, 1807.

"Although no official measures have occurred here that could give the smallest indication of hostility between Great Britain and the Turkish government, some private misunderstanding has taken place to the great injury of commercial speculation. The imports from Bengal are in demand, but from mistrust and apprehension the merchants decline to purchase. Some consignments of piece goods have been recently sold at a price, that will do no more than repay original cost and charges. Indigo is high, but requires management in its disposal.

"For want of confidence in the Bashaw of Bagdad, the English ships are ordered to anchor thirty miles below the town; this measure has in its turn, communicated suspicions to the government and people, which, in their consequences, are unfriendly to commercial affairs.'

Occurrences for AUGUST.

August 8th.—Letters from Baroda mention, that they had recently experienced an uncommon and sudden fall of rain, which had overflowed the banks of the nullahs and rivers; that some lives and cattle had been lost on the occasion, and great mischief done to the country.

August 10.—The distribution of a *second dividend* of the prize money to the captors of Cochin in 1795, commenced at the office of Messrs Forbes and Co. at Bombay, agents to the trustees, on the 1st instant.

The following ranks have the specific sums they are entitled to, placed opposite to their respective classes, viz.

		Rs.	qr.	Rs.	
Captains, Surgeons,		1,923	0	30⅓	each.
Lieuts. Ensigns, Lt. Fire workers, assistant-Surgeons Commissary,	at	531	3	66	each.
Conductors, Subidars, Syrangs,	at	903	0	0	each.
Jemidars, First Tindals,	at	152	0	50	each.
Serjeants, Drum-majors, and Tindals,	at	67	1	0	each.
Gunners, Corporals, Havildars, Drum and Fife Majors, Privates,		33	0	86	each.
Naiques, Drummers and Fifers, Sepoys, Lascars, Watermen,		16	2	42	each

Aug.

Aug 19.—A marble monument to the memory of the late Sir William Syer, has arrived by the last ships from England. It consists of a single rectangular slab of white marble, with a female figure, in *alto relievo*, weeping and kneeling before a pillar, at the top of which is placed an urn, inscribed with the age and day of the death of the party. Beneath, and on a projecting base, appears the following Latin inscription:

IN HOC FANO REQUIESCIT VIR
INTEGERRIMUS
GULIELMUS SYER EQUES.
QUI FORUM JURIDICUM REGIA
AUCTORITATE HIC LOCI
INSTITUTUM,
PRIMUS ORDINAVIT,
ET QUATOR FERE ANNOS, LITIBUS
SAPIENTER DIJUDICANDIS;
ET FŒNIS LENITER IRROGANDIS
HONESTAVIT.

Occurrences for SEPTEMBER.

Sept. 14th.—On Friday the 11th instant Sir J. Mackintosh gave judgment in this case of the Minerva, Frederick Hassey, master.

This was the case of an American ship, taken on the 3d of December, 1806, going from Manilla to Batavia. The ship had left Providence in August, 1805, had touched at the Isle of France, from which place she had sailed to Batavia, thence she went to Jegal and Manilla, and on her voyage from this last place back again to Batavia, she was detained. Her cargo consisted chiefly of indigo and dollars. It appeared that she was under the direction of a supercargo on board, as to her employment in trade both in respect of the cargoes and the intermediate ports to which she was to trade, previously to her return to Providence or some other ports in America, where her voyage was to end.

For the captors it was contended, that she was trading between enemy's colonies, and therefore acting in direct violation of the letter and spirit of his Majesty's instructions of June, 1803, which command the commanders of ships of war and privateers, to seize any neutral vessel, which should be carrying on trade directly between the colonies of the enemy, and the neutral country to which the vessel belongs.

For the claimants it was insisted, that neither Manilla nor Batavia, nor the Isle of France were enemy's colonies of such a nature as to render the trading thereto by a neutral in time of war illegal; inasmuch as the trade to those places was open to foreigners in time of peace.

The court on a former day had directed commissions to be sent to Bengal and Madras, to ascertain whether the ports of Batavia and Manilla were, during the last peace, open to all or any foreigners from the ports of India, Europe, or America; and if open, whether under any and what restrictions; and also to enquire into the state of those ports in these respects before the war which broke out between Great Britain and Spain in 1796.

These commissions being in part returned, and it appearing that the ports were then open to all foreigners during the last peace, without any restrictions except as to opium and

and specie at the port of Batavia, Sir J. Mackintosh pronounced judgment of restitution.

The captors, he said, were fully justified in detaining this vessel, because in so doing they were acting in obedience to the letter of the instructions of June, 1803. Batavia and Manilla were certainly colonies of the enemy, and this vessel was certainly trading directly between America and such colonies.---But though the officers in his Majesty's service were bound to obey these instructions, he did not conceive himself, sitting as a judge of prize, in a court whose decisions were to be regulated by the law of nations, as bound and concluded by them. He believed indeed, that he was the first and only judge, who had ventured to pronounce such a doctrine. In every prize court, in every country, by all writers on the subject, and all administrators of the law, the instructions of the sovereign were regarded as a law to the judge. But he considered the law of nations as paramount to such instructions; and the king as having indeed a right to dispense with such law, but not to extend it. As far therefore as any of his Majesty's instructions were a relaxation of the law of nations in favour of neutrals, he should consider himself bound by them; but if he saw in such instructions any attempt to extend the law, to the prejudice of neutrals, he should not obey them; but regulate his decision, according to the known and recognised law of nations.

In the present case, after great deliberation, and minute enquiry, he felt himself bound to say, that neither Batavia nor Manilla were such colonies as to render any trading thereto by neutral nations, in time of war, illegal. It is not their being called colonies that will render such a trading unlawful, nothwithstanding the letter of the instructions of 1803; something further is necessary, and that is, that the trade to and with these colonies, was prohibited to such neutrals in time of peace.

The chief point in dispute, in this case, which was investigated by means of commissions to Calcutta and Madras, was, whether Manilla and Batavia were *colonies* of the enemy, in the sense meant by his Majesty's instructions of 1803, whether they enjoyed such a freedom of trade with other countries, in time of peace, as took them out of the situation of settlements, governed on exclusive colonial principles. The result of the enquiry was, that it appeared that Manilla and Batavia were not colonies in the sense of his Majesty's instructions, as it was found that they were not shut against foreigners in time of peace, and in consequence the ship was ordered to be restored to the claimants.

It is to be observed, however, that the learned judge, though he ordered restitution to be made, refused the claim of the neutral for costs and damages, as the captors seemed to be fully justified in this case, by the *letter* of his Majesty's instructions, and from the prevailing uncertainty, whether or not Manilla and Batavia were to be considered as colonies:

The case of the Minerva is one that cannot again speedily occur. The recent instructions of 1807, which direct all ships to be detained that are found trading between any two ports of the enemy, whether colonies or not, put an end to any

any doubts or dispute that might have arisen on the question. Every ship found in such situation must be brought in as prize, and Manilla and Batavia are now entitled to no more privilege than any other ports of the enemy.

It ought also to have been remarked, that when Sir J. Mackintosh, in observing on some reasonings that were held in the pleadings, stated his doubts whether a judge, acting under the law of nations, would be bound to decide according to instructions, issued by any prince contrary to the law of nations, he expressly stated the instructions of 1803, to be of a very different description, and as such the ground of his judgment in the case. (*Bombay Courier*)

Cannanore, Sept. 25, 1807.

Yesterday evening was given by her highness the Beebee, one of the grandest and most sumptuous entertainments witnessed at this gay and lively station for many months; the occasion of which was to celebrate the marriage of her highness's grand-daughter.

About eight o'clock, on the arrival of one of the ladies, in the grand hall, a curtain was thrown open, and her highness the Beebee moved forward, when an animated interchange of civilities, expressive of much cordiality, ensued. The Rajah too joined with his revered mother-in-law, in welcoming their guests, and assuring them, by the urbanity of his demeanour, of his heartfelt satisfaction at such an assemblage.

To beguile the time, fireworks, terrific and comical, were let off within the square of the palace, which was grandly illuminated.

A supper, combining the luxuries of Europe and the Indies, was laid on the table at eleven o'clock. The glass was circulated until a late hour the ensuing morning, when all departed pleased, and well-delighted with the entertainment in general, but chiefly with the condescending and anxious solicitude of the Rajah during the repast.

Occurrences for OCTOBER.

Oct. 7.—Two men belonging to his Majesty's ship Sceptre, captain Bingham, in coming across the esplanade, towards the garrison, unfortunately fell into a well, the parapet to which is unusually low, and were drowned.

On Thursday last his Majesty's ship Sceptre, of 74 guns, having undergone the necessary repairs, was hauled out of dock. The immediate cause of her late danger was discovered to be a large hole in her bow, and her bottom, in general, was found to be in so bad a state, that her having reached this port from so considerable a distance may be considered almost miraculous. The Sceptre is now very nearly fitted for sea, and a very few d[illegible] will restore this very valuable ship to the effective naval force of India.

General Orders by Government.

Oct. 19.—The honourable the governor in council is duly sensible with the commanding fficer of

of the forces, of the loss which the service has sustained in the death of captain G Warden, of the corps of artillery, whose merits have not failed to attract the favourable notice of his immediate superiors and government.

2d. From his first entrance, soon after his arrival in this country, upon the active discharge of his duties against the Coolies, under the late colonel Little, in 1794, to those periods of his subsequent appointments, on the several important occasions on which the Bombay army has been called into the field;---at the taking of Columbo; at the memorable battle of Sedasheer, on the 4th of March, 1799; at the fall of Seringapatam; and on the reduction of the fortress of Jemendabad in that year: on the expedition to Egypt; and on the siege of Baroda; the zeal, the steady gallantry, and professional acquirements of this late very deserving officer stood, on each of those eventful occasions, and in particular on the last, highly distinguished.

By order of government,

H. NEWNHAM,

Sec. to Govt.

Oct. 28.—As lieutenant E. Davies, in company with an officer from Cabo, were riding out yesterday in sight of, and about a mile and a half from, Goa, they were suddenly met by two large royal tygers, which, after viewing them for some seconds, came bounding towards them with such velocity, that as the hill was very rugged and rockey, they at one time gained so considerably on them as to be within a very few yards; fortunately, however, their horses ultimately gained ground, and brought them safe off. This is one of the few instances known of tygers pursuing their prey for any distance. These followed the gentlemen alluded to for several hundred yards.

Occurrences for November.

Nov. 3.—Extract of a letter from Mr. Manesty, British agent at Bagdat:---

"It is really wonderful how safely I have conducted all the commercial concerns under my management; and you will rejoice to learn that the result, in consequence of the revolution, which, at Bagdat, on the 18th ultimo, deprived the Bacha of life, will be, according to all reasonable calculation, administrative of tranquillity and consequent encouragement of trade in this country: The Bacha was murdered by a Georgian favourite, who had connected himself with a person of the name of Neseef Aga, the head of a party, long inimical to the Bacha's government; and on the day succeeding his death, his assassin and Neseef Aga were slain by the Bacha's nephew, who immediately assumed the government, and must be confirmed in his uncle's high and distinguished office from Constantinople.

"Thus the Bacha and Neseef Aga, the heads of the long-contending parties at Bagdat, have both fallen. Strife, animosity, and struggle for power, have ceased with their existence, and the Bacha's nephew, now Solomon Bacha, is a

is a young man of superior merit and liberality. I am on the best terms with him and his governor here, Selim Aga, and, since the Bacha's death, have rendered him essential local services."

Nov. 4.—Two persons have been carried off by two royal tygers in the course of last week, from a native village nearly opposite to Powie, near the high road leading from Sion to Tannah. One of them, a man, was found in a jungle to which he had been traced by the blood tracks. The party who discovered, found him in the fangs of the tyger, who was in the act of sucking the blood from the neck of the unfortunate wretch. Not feeling themselves strong enough to approach, they retired for a reinforcement; and on their return with a stronger party, the tyger relinquished his prey and made his escape. On examining the body it was found entirely bloodless, the sanguinary animal having extracted it all from the back part of the neck and shoulders. The only other wounds were a contusion on the thigh, and one arm broken. The other sufferer was a boy, whose body was not to be found.

Nothing can more clearly shew the advantages of knowledge; than the deplorable effects so frequently produced by a want of it. The miserable consequences of ignorance, are evinced in an extraordinary degree, by a circumstance with which we have very recently been made acquainted, concerning the tygers who have lately appeared, and committed considerable havoc, on the island of Salsette. It is firmly believed by the native inhabitants, that they are not merely animals, but some malicious demons disguised under the forms of a royal tyger and tygress. They positively affirm their countenances to be human, and add that they have large gold rings on their noses and ears; similar to those usually worn by the lower cast of Hindoos. This idea, as it is easy to imagine, has so increased the natural dread which the natives have of those animals, that it is feared every attempt on their part to destroy the intruders will be completely put an end to, notwithstanding the encouragement held forth of a handsome reward for their destruction. We are credibly informed that no less than nine persons have already fallen sacrifices to these sanguinary monsters! A curious story is related respecting them. Contrary to the practice of tigers in general, who are known to fix on animals for prey in preference, unless pressed by extreme hunger, one of these appears to have selected the herdsman of a drove of cattle, though he could as easily have carried off a fine young bullock.

Nov. 5.—In March last a small party of gentlemen from Bombay, consisting of colonel Macquarrie, Dr. Thomas, and Lieut.-general Brande, passed over to Bussorah, in order to proceed thence overland to Europe. A letter was received from Bagdat, under date the 15th of May, respecting their progress; and stating, "that they proposed, notwithstanding the existence of hostilities between England and the Porte, to go direct from Bagdat to Baku, on the Caspian, there to embark for Astracan, and so pass through Russia by the North of Europe, and to reach England by the Baltic." On the 16th, they left Bagdat with the caravan, having been joined there by Major O'Neil, of his Majesty's service. The latter gentleman afterwards m

met with the following singular and perilous adventure, in one of those little excursions which are not very dangerous perhaps in a flat country, but which are undoubtedly imprudent in a hilly one.

On the 5th of June, having travelled about two-thirds of the distance between Bagdat and the Caspian sea, he lost sight of the caravan in one of those picturesque places, and wandered about the whole day without being able to find it again.

During this time repeated attempts were made to disarm and rob him by the lawless wretches who prowl about the country. At length, about sun set, he was so suddenly attacked by four of them, that, before he could stand on his defence, he was knocked down from his horse and disarmed. The banditti then literally stripped him to the skin, and shared the plunder amongst them, giving him a few of their own rags to defend him from the cold; after much ill treatment, and repeated threats against his life, they finally dismissed him.

In this folorn condition he walked all night, and early the next morning was again attacked by three other men. One of them who was well mounted and better armed than the others, after striking him several times, seized him, and dragged him in the cruelest manner to his house; where for two days he obliged him by blows to work at the hardest labour. Making him pull grass for his cattle, dig gravel, and carry it home from the pit, and then pull up by the roots a weed of remarkably strong fibres, which over-ran the greater part of an adjacent tract of meadow ground.

Notwithstanding this insupportable degree of labour, the barbarian had not the humanity to give him any other food than bread, and some milk diluted with water.

On the third day, however, he was liberated from this dreadful state of slavery by the gallantry of of the chief driver of the caravan, who generously volunteered to go in search of him. Even after the major was discovered by this brave and honest fellow, there was some difficulty in effecting his release; and nothing but the determined spirit of the driver, who threatened the Russian with the immediate vengeance of the whole caravan, could have prevailed. The feelings of major O'Neil may be easily conceived. He had little hopes of ever being discovered, the village being situated in a retired part of the mountains. The night preceding his delivery he received a private hint that it was in contemplation to cut his throat, unless he instantly made his escape.

This probably was an indirect method of attempting to get rid of him; as the fellow who kidnapped him might have been alarmed by enquiries making after his victim.

The travellers gave the following account of their subsequent proceedings:---

"We entered Persia on the 22d of May.---In consequence of the resident of Bagdat, having previously written to the court of Persia, giving notice of our intended journey, orders were issued permitting us to pass wheresoever we desired: but a Frenchman, resident at the court, as ambassador from Buonaparté, hearing of our arrival, contrived to insinuate unfavourable suspicions of the motives of our travelling into Persia; and in consequence a khan was directed

ed to conduct us to court. The khan accordingly waited upon us, announcing himself as our memendar, and delivered a highly complimentary message, in the Eastern style, from the vizier, stating that his highness could on no account allow a party of English gentlemen to travel through his Majesty's dominions, without having the pleasure of seeing them at court.--- On the morning succeeding the day on which we were visited by the khan, Major O'Neil had unluckily parted with the caravan, and could no where be found. This circumstance alarmed the deputation, and raised a suspicion that the major made his escape to avoid being carried to court, and that he had gone off with information of importance to the Russians, now at war with Persia. Three days elapsed before the major was discovered. Having thoughtlessly strolled to a distance from the caravan, he was seized, robbed, stripped, and detained in captivity. The major being fortunately recovered, and restored to our society, served to do away all suspicion, as to the objects of our journey. The Persians were fully convinced as to the truth of our account, that the Turkish war was the sole motive of our travelling to Europe by the circuitous route of Persia.

"It happened luckily, at this time, that the king was on the road from his capital to the camp, and crossing our intended track, saved us the necessity of a long and tedious journey. I shall say nothing further on political subjects, than that we have reason to believe that the king of Persia, and his confidential advisers, discern the true character of the French propositions, and that they have already given a decided negative to the late overtures of Buonaparté; and have signified to his ambassador, that they cannot take any measure to disturb the good understanding that now subsists between Great Britain and Persia. The king is anxious to put an end to the war with Russia. Colonel Macquarrie has letters, both from the king and the vizier, addressed to his Britannic Majesty, and to his ministers, requesting, as we understand, the mediation of England, in effecting a peace between the two empires.

"In our journey through Persia we have been occasionally entertained, with princely splendor, by the governors of the cities through which we passed. With the apparent fertility, the finely-diversified scenery of Persia, and its natural beauties, we have been delighted. Very different must be our account of its inhabitants. We embark in a day or two upon the Caspian, to proceed to Astracan, thence we go to Petersburg, and still hope to reach England in September."

Occurrences for DECEMBER.

Dec. 13. A report had been received at Madras from Fort Marlborough, said to have been communicated by a Chinaman, of five sail of men of war having arrived in Batavia roads; in consequence of thi information his excellency Admiral Sir Edward Pellew,

lew had dispatched his Majesty's ship Fox, the honourable captain Cochrane, to reconnoitre, and ascertain the fact; the Fox has since returned to Pulo Penang, having sent in two small Dutch prizes, and detained one American brig.

Whilst the Fox was cruising off the coast of Java, near Samarang, she chased a Dutch Guarda Costa, but it falling calm the Fox's boats were manned and armed, and sent under the command of the first lieutenant, George Simpson, to board her; as they approached the vessel, one of the Dutch officers took aim at lieutenant Simpson with a rifle-barrelled gun, and unfortunately wounded him mortally in the head. After he fell he only lived, to desire the crew not to mind his loss, but boldly push on and do their duty.

The boats pushed on, but finding the Dutch vessel full of Europeans, they were from so superior force obliged to surrender. A breeze springing up afterwards, the Fox again renewed the chace, but the Dutch commander ran his vessel ashore, and abandoned her with his crew and prisoners. She was taken possession of by the Fox, but afterwards given for a return of his boat's people.

Dec. 14. The new docks are in such a state of forwardness as to admit of the keel of the new seventy four being laid. New year's day is fixed on as the day for performing the ceremony of driving in the silver nail. At the end of eighteen months we may expect to see her afloat in the harbour.

Bombay will thus have the singular credit of being the first place within the British dominions, out of the kingdom of Great Britain, at which a British seventy four was ever built.

To Lieutenant Colonel Bethune, commanding officer of the Grenadier battalion, Bombay.

Dear Sir,—At the close of your eventful career in India, the officers of the grenadier battalion would feel themselves wanting in respect and esteem, did they allow of your return to your native country, after a long and faithful service, reflecting equal credit upon yourself, with the corps you have for many years commanded, without communicating the force of those sentiments towards you, as an officer and a friend.

Your services and merits having been publicly appreciated by high and venerated authority, it is sufficient for us to have to convey to you, the respect which we bear them, and the pride we shall always retain in having acted under your command, for so long a period, in the arduous and extensive duties of the field.

Intimately acquainted, as you are, with the character of those who address you, it would be superfluous to animadvert on the motives which urge us to beg your acceptance of a sword, of the value of fifty guineas, as a pledge for the kind offices of regard you have rendered us; from which it is impossible to separate the benefit we have received.

We have made it our request to Captain Heard, who we understand will sail in company with the fleet by which you design to proceed to Europe, to commission the sword on his arrival in England, with an appropriate inscription, bearing testimony of the estimation in which we held you; and, when finished, to present it to you. We fondly anticipate his cheerful readiness for the fulfilment of our wishes.

We

We now wish you a safe and speedy voyage, sincerely congratulating you on the satisfaction you must experience, in returning to those scenes which endear us to our country, and, ever taking a lively interest in your welfare and happiness, we remain, with unfeigned friendship,

Dear Sir,

Your most faithful and obed. servts.

G. Mackonochie, captain; W. D. Cleiland, captain; B. Dutton, lieutenant and adjutant; H Montresor, lieutenant; J. Brown lieutenant; William Perkins, lieutenant; William Percy, lieutenant; Thomas Daubeny, lieutenant; Robert Macfarlane, lieutenant; John S. Bamford, lieutenant; Thomas Gregg, lieutenant; Robert Shepherd, lieutenant; Thomas Hake, lieutenant; Joseph Jones, ensign; Emanuel Herbert, ensign; Philip Mackeson, ensign; James Grant, ensign; and Alexander Gordon, assistant surgeon.

Camp, Seroor, Dec. 30, 1807.

To which the following answer was returned.

To the officers of the Grenadier Battalion, Camp, Seroor.

My Dear Gentlemen,—I was yesterday honoured with your letter of the 30th ultimo.

I receive the splendid token of your regard and esteem, mentioned in it, as I ought, with a satisfaction which gratifies every feeling of my heart—too happy if I could refer this valuable testimony, less to the partiality of your kindness, and more to my own deserts.

With every wish for the continued unanimity, prosperity, and honour, of the corps, in which we have together so long served, I remain, with most cordial sentiments of friendship,

Your faithful and obdt. servt.

ANDREW BETHUNE,
Lieut.-Col. Genr. Bat.

Bombay, Jan. 4, 1808.

To Captain Heard, Major of Brigade, Bombay.

Dear Sir,---Understanding that it is your intention to proceed by the ships which sail in a few weeks, the officers of the Grenadier battalion are anxious to avail themselves of the opportunity to request your assistance in forwarding their wishes to procure a sword of the value of fifty guineas, to be presented to lieutenant-colonel Bethune, as soon as possible after his arrival in England.

On the sword we should wish the following inscription to be made:

"This sword is a tribute of esteem from the officers of the grenadier battalion, to lieutenant-colonel Bethune, their late commanding officer, dated January 1st, 1808."

Apologizing for the trouble we are giving you, but in which we anticipate you will find much pleasure from your long intimacy with Colonel Bethune, allow us to conclude with wishing you a prosperous voyage to England, and we remain,

Dear Sir,

Your's, very faithfully,

G. Mackonochie, captain; W. D. Cleiland, captain; B. Dutton, lieutenant and adjutant; H. Montresor, lieutenant; J. Brown, lieutenant; William Perkins, lieutenant; William Percy, lieutenant; Thomas Daubeny, lieutenant; Robert Macfarlane, lieutenant; John S Bamford, lieutenant; Thomas Gregg, lieutenant; Robert Shepherd, lieutenant; Thomas Hake, lieutenant; Joseph Jones, ensign; Philip Mackeson, ensign; James Grant, ensign; and Alexander Gordon, assistant surgeon.

To the Officers of the Grenadier Battalion, Camp, Seroor.

Dear Gentlemen,—I am favoured with your letter, requesting me to present to lieutenant-col. Bethune, commanding

commanding officer of the grenadier battalion, on his arrival in England, a sword of the value of fifty guineas.

You have conferred upon me, gentlemen, a most pleasing office, in being the medium of thus expressing your regard and respect, for a valuable and worthy officer, who has devoted his best years, the morning of his life, to the service of his country, and who, for many successive campaigns, particularly during the important and active operations in Guzerat, has had the peculiar good fortune to command a corps of distinguished reputation.

In thanking you for your kind wishes respecting myself, I beg to assure you there is no man who feels more cordial esteem for the public and private virtues of the officers of the grenadier battalion than, dear gentlemen,

Your very faithful, humble servt.

J. Bickford Heard, M.B.

Bombay, Jan. 4, 1808.

Occurrences for January, 1808.

Jan. 1. The ceremony of driving the silver nail into the keel of the Minden, man of war, was performed under the usual ceremonies by the hon. the governor; in honour of whom the new dock, in which the keel is laid, has received the appellation of "Duncan's Dock."

Jan. 9. The court proceeded, at the adjourned quarter sessions, to the trial of three natives for cheating by the means of false dice.

In opening the case for the crown, the advocate-general observed, that though an indictment for the offence in question had never before been brought forward in this place, the vice to which it referred was extremely prevalent, he believed, among the lower ranks of natives. The statutes which had been passed for its prevention were various; and, whatever might be said of those which prohibited any one from losing more than 10l. at a sitting, however fair the means employed for that purpose, there could be no doubt of the propriety of preventing men from having recourse to dishonest practices at play, and from using arts to obtain success which had the effect of converting chance into certainty. This in fact was another species of robbery; and not to visit it severely would be delivering over the thoughtless and unwary, in their most unguarded moments, a prey to cheats and swindlers. That the prisoners would not be defamed if these appellations were applied to them. Mr. Thriepland had no doubt. They had long been confederated together, and while Hurjewan staid at home and took care of the bank, the other prisoners acted the part of decoy ducks, and went about enticing their acquaintances to try their luck. Of all the pigeons plucked by these worthy associates, a person of the name of Wasson Cursondas was the most complete. Often as he played with them, he never, by any accident, was permitted to win. The prisoners were always ready to give him his revenge, but their readiness always ended in his having more revenge to seek.

For some time, as commonly happens,

happens, the Devil got the credit of this wonderful run, to which indeed, though not as an immediate agent, he was well entitled; but at length, when the unhappy Wasson had nearly lost his all, and was driven to that last extremity of desperate gambling, the staking his wife's rings and necklaces on the event of a throw, he thought it might be as well, without offence to the power below, to ascertain of what materials the dice were composed, and snatching up one of those which were upon the table, conveyed it unperceived into his mouth.

As might be expected, the alarm which this act occasioned was very great, and in the confusion which ensued, one of the prisoners took an opportunity of throwing the other dice they had been playing with out at the window. The one, however, which Wassondas had all but swallowed, was still forthcoming, and when the jury examined it, they would at once perceive that a little lead had been inserted under number six, which must have effectually excluded the operation of chance playing with the prisoners, and was no doubt the cause of the uniform success of their addresses to Fortune. The bias, as might also be supposed, was given to the die with a neatness which would not have disgraced the temples in which the goddess is worshipped in Pall-Mall, or St. James's street. If these facts were proved, the jury would find the prisoners guilty, and they would be subject to the same corporal pains as in cases of wilful perjury, and to forfeit five times the amount of their unlawful gains.

The facts were detailed by the witnesses, who were all of them sufferers, with a simplicity, which produced much entertainment in court. The defence of the prisoners was, that the season was a kind of Mahomedan Saturnalia; that their religion permitted them to play, and that they had played fair. But not being able to produce any evidence of this, the jury found them guilty; and the court passed sentence of pillory and imprisonment on them.

Jan. 10. Several occasions have occurred, in which the students, from the Bombay establishment, at the college of Fort William, have distinguished themselves in a very eminent degree, by the honours they acquired for their proficiency and attainments in the languages of the east. But no instance so remarkable has hitherto occurred, as one, which, to the honour of Bombay, the list for the third quarterly examination for the year 1807 presents. Mr. Sotheby, as writer on this establishment, who came out to this country in May last, was admitted into the college in September, and on the 3d of November following, he stood at the head of the second class in the Hindoostanee language.

Jan. 27. A curious ceremony took place last Christmas day, in the synagogue of the white Jews, near Cochin.

All things being prepared in the synagogue, and the rabbis, elders, with the whole of the people, male and female, being assembled and arranged, each in their allotted places, the dewan of the rajah of Travancore, attended by the British resident, approached in procession, and entered the synagogue at sunset of the 25th December. They were received by the elders, at the gate of the congregation, standing up, and were led to seats, which had been prepared for them, in front

front of the ark, and under the extended wings of the cherubin. Being seated, the service of the evening commenced.---The chief-priest standing before the altar of the Lord, in the presence of the congregation, spread forth his hands towards Heaven, and with prayer and supplication, the whole standing, implored a blessing upon his Majesty the king of Great Britain and Ireland,---all the people saying Amen. The words of the favorite air of "God save the King," having been previously translated into the Hebrew language, were chaunted, the whole congregation joining in the chorus.

Following this a benediction was implored for his highness the Ram Rajah of Travancore, and a compliment, suited to the solemn occasion, was addressed, by the chief-priest, to the resident and the dewan.

The service being concluded, the dewan of Travancore, in a few words, neatly delivered, expressed for his master and himself, the high sense which was entertained of the honour and favour conferred on them; and, turning round to the elders, requested that the rajah of Travancore might be permitted to make an offering of a crown of gold, to be placed within the ark of the Tabernacle upon the sacred books of the law; and requested further that he himself might be permitted to make an offering of a rich chandelier to illuminate the sanctuary. These requests having been gratefully acceded to, and suitably acknowledged, the resident and the dewan retired in the same manner, and with the like ceremony, as had been observed on their entrance.

Occurrences for FEBRUARY.

General Orders.

Bombay Castle.

Feb. 4.—The honourable the governor in council is pleased to permit Lieut.-colonel H. Woodington to proceed to Europe on furlough, with the option of eventually retiring from the service, conformably to the existing regulations.

The governor in council will have great satisfaction in communicating to the honourable the court of directors the high sense entertained by government, of the professional deserts of Lieut.-colonel Woodington, as manifested during the long course of his meritorious service in India.

The earlier instances thus referred to have already attracted the notice of the honourable the court of directors, who were pleased, in the 46th paragraph of their general letter, dated the 8th of April, 1789, to direct that some staff situation should be conferred on that officer, in consideration of the secere wound he had sustained in their employ.

Since his last return to India, Lieut.-col. Woodington has further established his claims to the approbation of his employers, by a series of distinguished and important services, equally promotive of the welfare of his country, and conducive to the increase of his own military reputation.

The siege of Baroda, in 1803, afforded the most satisfactory proof of the judgment, exertion, and professional talents of the Lieutenant-colonel, which, on the same year,

year, were again highly distinguished in the reduction of the valuable fortress of Broach, an event that, viewed in reference to the smallness of the detachment employed upon the occasion, sufficiently bespoke the abilities that directed, and the gallantry that achieved the conquest, whilst the subsequent and rapid reduction of the strong hill fort of Powangarn, and of Champneer, closed this officer's active career in the last war on this side of India.

The record of these memorable occurrences stands severally marked, by the most respectable testimonies of approbation, bestowed on the conduct of Lieut.-colonel Woodington by the distinguished authorities, who, at the periods in question, exercised a controul over the operations of the field army of this Presidency, the present government of which coincide entirely in the opinions, expressed by major-general Jones Bellasis, that the Bombay establishment will sustain a loss in the departure and eventual retirement of this excellent officer, whose exemplary and conciliatory conduct, in the command of the subsidiary force in Guzerat, during periods when such attentions were absolutely necessary, forms another very laudable part of the colonel's conduct, such as the governor in council will not omit to make due and creditable report of to the honourable the court of directors, inclusive of the several other occurrences above adverted to.

Feb. 10.—" After my narrow escape from the ship privateer on the 8th, I had little expectation of so soon having occasion to give you an account of my falling in with another vessel of the enemy, the particulars of which I beg to relate:

" In latitude 16. 40. North, having anchored in a calm, I weighed on a breeze springing up; and at half past three P. M. stood with a light air from N. E. to W. leaving written instructions with the officer of the watch. At four A. M. I was called up, and found a man of war brig close aboard of us, who hailed, and desired the boat to be hoisted out. I answered, that it should be done immediately. No sooner had I replied, and while we were in the act of clearing the boat, than he fired into us, immediately under our stern, with round, grape, and musquetry, which killed one man, and wounded three, two of them mortally, one of whom has expired while I am writing this account, and the other cannot possibly survive; the third we hope may recover. They have thus taken the lives of three innocent men without the slightest provocation, having fired without notice, and without asking whether I had struck.

" I was carried on board the privateer. After finding that the Palmers was leaky, they stript her of every article that was moveable, of every sail except the fore-sail, fore-top-gallant-sail, and jib; blocks, buckets, &c. &c. &c. and whatever could be readily transferred, was carried on board the privateer; and then cutting my rigging, and otherwise disabling the ship, they made her over to me; and although I was under a fore-sail brailed up, with the ship's head to the north-east, the brig tacked and ordered me to put about to the southward. While I was executing this order, the brig passed me, and the night setting in, I availed myself of the darkness, boarded the fore-tack, and stood for this port; but having wore ship twice under a brailed fore-

fore-top-sail, which, when set, carried me to leeward, and before I could procure a substitute for a lead, the privateer having carried off all I had, we found the ship had run a-ground, about ten, P. M. six or seven miles distant from any inhabited part of the coast, were we still remain. Upon grounding, I lowered my yards, steering booms, &c. and made a cattamaran, to send a note to the master attendant for assistance, of which I stood much in need, as the Frenchman carried off sixteen of my best hands.

"The privateer is named the Bon Venture, David, commander. She has been in sight all this day working to the southward of the port, and has two vessels in company, which she captured last night. At the time I was taken she had captured two small vessels off Coringa, both of which she discharged. The privateer is a small vessel, badly manned, Pegue built, pierced for 14 guns, but has only seven mounted.

General Orders.

Feb. 16.—"It is with sincere concern that government announces to the army the death of that very respectable officer major-general Bellasis, late commanding officer of the forces, who departed this life, on Thursday the 11th instant, by a very unexpected attack of sudden illness, as he was in the meritorious discharge of his duty at the military board, thereby terminating a long career of zealous and faithful services."

By the Commanding Officer of the Forces.

"The commanding officer of the forces requests the officers of the army will wear crape, as a mark of due respect to the memory of our late commanding officer of the forces, major-general J. Bellasis, who departed this life in the zealous discharge of his duty, after an honourable career of faithful service of upwards of thirty-eight years.

"The period of mourning to be one month."

Capture of the Margaret brig from Calcutta, by a French privateer to the southward of Bancoote, on the 8th of ebruary, 1808. The particulars of this capture will appear from the following extract from the log-book.

Extract from the Brig Magaret's Log-book, from Calcutta, bound to Bussorah.

Monday, February 8, 1808. At one p. m. the small vessel that was seen in the forenoon to windward standing to the S. E. wore and stood down towards us upon our weather quarter. Having a suspicious appearance, we fired a shot at her, either to tack or close no nearer; when she shewed English colours, and continued nearing us. We fired a second shot, upon which she hoisted a French ensign and pendant, and fired a shot at us, when we immediately opened our fire of round and grape, and continued a running action for upwards of three hours; finding she neared us, bore up before the wind to get our stern chasers to bear upon her; from her well directed fire she hulled us twice, and put a number of shot through our sails, &c. In the evening the breeze freshening, we kept the wind on our quarter, with all sails drawing, endeavouring to make our escape in the night; altering our course as the wind shifted, however, it being clear moonlight, he observed all our motions, and at day-light she bore N. W. distance about one and

and a half. At 10. 20 a. m. falling light airs, she swept up close to us, when we observed her decks full of Europeans, and finding it impossible to make further resistance for the safety of the ship and cargo, was under the necessity of hauling down our colours to the French Imperial Felluca L'Entreprenante, Monsieur L. Bouvet, commander, from the Isle of France.

N. B. When we first saw the enemy, Bombay, bore N. N. E. about 65 miles; distance from the nearest shore 12 or 14 leagues.

(Signed) H. Wilson,
Commander.

On taking possession of the Margaret, the Frenchmen instantly changed vessels, and proceeded to the Isle of France on board of the Margaret, giving up the Felucca to captain Wilson.

In addition to the above particulars, we learn, that the privateer had previously taken a vessel from Cutch, the crew of which had been secured on board the fellucca, by being placed in irons below. But this circumstance not having been made known to captain Wilson, when he and the Margaret's crew were put on board, no provision was made by him against an attack which the Cutch people made upon him and his crew, and in which they succeeded. Before they had been on board long, the Cutch people rushed up the fore hatchway, armed with pikes and creeses, and overpowered captain Wilson and the crew, and driving them to the forecastle, kept them there for six days on the allowance of about a pint of water, and a small portion of biscuit, for the twenty-four hours.

Captain Wilson and the rest afterwards got on shore at Danou.

Occurrences for March.

March 4.— In consequence of the advancement of major-general Jones to the command of the army under this Presidency, the honourable the governor in council is pleased to appoint major-general K. Macpherson to the vacancy thereby occasioned in the general staff.

The seminary at Versovah is abolished by an order of council, on account of the great reduction in the number of students.

March 6.—Major L. F. Smith, late of the Mahratta service, accompanies Sir Harford Jones on his embassy to Persia, as secretary.

March 18.—On Monday last, a beautiful new ship was launched from the slip at Mazagon, of the burthen of about 800 tons, intended for the commercial service of the honourable East India Company.

At the turn of high water, she majestically decended from the ways, under a royal salute, and proudly floated on her natural element under the auspicious designation of the Thomas Grenville.

The ship is, we understand, to be commanded by captain Levi Philipps, of the honourable company's Bombay marine.

March 24.— Arrived the ship Windham, lately launched at Demaun. She is frigate built, and upwards of 840 tons burthen. In her passage from Dewaun, which was a beating one, she fully satisfied

satisfied the expectations of the builder, in her rate of going, and in bearing a press of sail at a light draught of water.

March 31.—On this day, the following letter was addressed to the honourable the governor in council at Bombay, announcing the capture of La Piedmontese frigate, by the St. Fiorenzo.

Sir,—I have the honour to inform you, that I have this instant received a dispatch from lieutenant Dawson, of his Majesty's ship St. Fiorenzo, acquainting me with the capture of the French frigate, La Piedmontese, after an action of three days at different intervals.

It is with the utmost regret I have to inform you of the death of the gallant captain Hardinge, on the 3d day, viz. the 8th of March.

The St. Fiorenzo had 13 killed, and 25 wounded. The Piedmontese had 48 killed, and 112 wounded.

The St. Fiorenzo saw the Indiaman on the day before the action.

I have the honour to be,
Sir,
Your most obedient,
humble Servant,
Charles Foote.

Bombay, March 31, 1808.

In just attention to the memory of captain Hardinge, the flags in the fort, as well as on board his Majesty's, and the honourable company's ships, and the merchantmen in the harbour, were ordered to be hoisted half-mast high; and minute guns, to the number of twenty-nine, corresponding with the age of the deceased, were fired from the ramparts of the garrison.

Extract of a letter from on board the Charlton Indiaman, dated 13th March, 1809.

"The Piedmontese had taken several vessels that had left Bombay, and from the different accounts found that our three ships were to sail without convoy, consequently he took up his station off Cape Comorin, stretching off and on, and was waiting there manned with three companies of artillery-men on purpose for fighting the great guns, 150 Europeans trained for boarding, and the same number of Lascars to attend the braces, &c. &c. making in all above 500 men, with 40 officers. On Sunday off Cape Comorin we discovered four sail which we have since learnt were the Piedmontese in chase of us, the St. Fiorenzo going up the Bay, the William from Bengal, and a brig which the Piedmontese had captured, valued at four lacks of rupees, but dispatched for the Isle of France immediately she saw us. The Piedmontese was then on point of making sail after us, when Mr. Hughes and captain de la Harpe, who had been captured in a little brig, told them that they had better try the single ship first, (wishing to give us time to get out of reach) as we had got men on board at Bombay on purpose to defend the ships, and that he would be roughly handled, which advice he took, and gave chase to the St. Fiorenzo, when to her astonishment she found out her mistake when too late.

"Manned and equipped in the manner she was, you will easily picture to yourself what the action must have been when both ships had not even a rope but what was cut through, and on the side they engaged the shot holes were innumerable; and sorry I am to inform you,

you, that just in the arms of victory, poor captain Hardinge was shot through the neck by a grape shot, while in the act of giving orders to the first lieutenant to back the mizen top-sail, and expired immediately.

Moreau, finding on the last day that they could not cope with the bull-dogs, was seen amusing his men in the hottest part of the fire, expecting a shot to terminate his miserable existence; when, finding that not to be the case, and seeing the people fall by dozens about him, and the colours about to be struck, (one of the French officers told us) that they strongly suspect he discharged both his pistols through his body. Even that had not the desired effect, and he then desired them to throw him overboard, although still alive. They acknowledged to us they had 107 killed and wounded; they also said they did not wish to fight, but were forced; they did every thing in their power to get away.

Occurrences for APRIL.

Further particulars of the capture of the French frigate, La Piedmontese, by his Majesty's frigate the St. Fiorenzo, G. Nicholas Hardinge, Esq. Captain.

With a melancholy, but at the same time a proud, feeling, we present to our readers a minute and accurate detail of one of the best-fought actions which ever graced the annals of the British navy.

The loss of captain Hardinge, the gallant officer to whose skill, perseverance, and intrepidity, we are indebted for the glorious result of this important contest, (however enviable may be his fate in those dubious times) must impress every generous mind with a sense of sorrow; while the distinguished superiority of British seaman-ship, as well as British valour, so nobly maintained by him, will temper such feelings, and rank him in the estimation of posterity, with those rare and costly characters whose worth is to be ascertained more from the importance, than the duration, of their services; who have just lived long enough to fulfil the promise of their youth, and who are cut off in the beginning of a career of glory.

The St. Fiorenzo sailed from Point de Galle on Friday the 4th of March, at 11. 30. A. M. On the 6th, at seven in the morning, she passed three Indiamen, and shortly after saw a frigate bearing N. E.

She immediately hauled her wind in chase, and made all sail; being at the same time in lat. 7. 32. N. long. 77. 58. E. In the course of the chase the private signal was made by the St. Fiorenzo, but not answered by the enemy, and at five in the evening she shewed her colours, which were also unnoticed.

At forty minutes past eleven at night, the St. Fiorenzo ranged alongside of the enemy on the larboard tack, and received his broadside. After engaging within a cable's length for ten minutes, the enemy made sail a-head out of the range of the St. Fiorenzo's shot, who immediately ceased firing, and made all sail after him, continuing to come up with him till daylight.

By

By this time the enemy found it was impossible to escape without fighting, and accordingly wore, as did also the St. Fiorenzo, when twenty-five minutes past six the action recommenced at the distance of half a mile. The fire was constant and well directed on both sides, the gallant Hardinge gradually closing with his enemy, till the distance became something less than a quarter of a mile.

After a contest of an hour and fifty minutes, the fire of the enemy began to slacken; he again made all sail, and endeavoured to escape. The condition of the St. Fiorenzo at this time prevented the possibility of an immediate chase to renew the action.

Her main-top-sail yard was shot through, as were also the main royal mast, both main-top-mast stays, main-spring-stay, and most of the standing and running rigging.

In addition to this all her sails were shot to pieces, and most of her cartridges expended, while the enemy had comparatively suffered little in his rigging, owing to the usual circumstance of the British fire being directed against the hull.

Under these considerations, capt. Hardinge ordered the fire of the St. Fiorenzo to be discontinued, and immediately employed all hands in repairing the damage sustained, and refitting the ship for action.

It necessarily took up a considerable time to repair the great injury the masts, yards, and sails had received. However, capt. Hardinge succeeded in keeping sight of the enemy during the night; and about nine in the morning of the 8th, his ship being perfectly prepared for action, he bore down upon him under all sail.

The enemy no longer endeavoured to avoid the action, till the St. Fiorenzo hauling athwart his stern, for the purpose of gaining the weather gage and bringing him to close fight, he hauled up also, and again made all sail.

The superior sailing of the St. Fiorenzo, however, soon convinced him that a decisive action was inevitable; and perceiving how fast she came up with him he tacked, and at three in the afternoon the ships passed each other on opposite tacks, recommencing the action within a quarter of a cable's length.

The enemy wore when he was abaft the beam of the St. Fiorenzo, and after a close action of an hour and twenty minutes, in which there was a display of gallantry and steadiness that rendered his capture truly honourable, struck his colours; the surviving officers waving their hats as a signal for a boat to be sent to take possession of the prize.

It was in this last conflict that the gallant Hardinge fell, after evincing all the skill of a seaman, and the determination of a hero. He received a grape shot in the neck from the second broadside, and lived only long enough to place his brave companions in the certain road to victory.

To the zeal and courage with which he was supported by his officers and crew in this long and trying series of hardihood and science, the meed of honour is most justly due. And we are well convinced, that those who live to wear the laurels which he led them to win, will be amongst the first to do justice to the merits of their brave commander.

The Piedmontese was commanded by Monsieur Epton, capitaine de Vaisseau; she mounts fifty guns—long eighteen pounders on her main deck, and thirty-six pound carronades on her quarter deck. She had 366 Frenchmen on board, and nearly 200 Lascars. She sailed from the Isle of France on the 30th of December, was out 84 days, and had captured six vessels.* In the action she had 48 killed and 112 wounded. The St. Fiorenzo had 13 killed and 25 wounded—most of the latter are in a promising way.

Monsieur Moreau, the second in command of the Piedmontese, fell in the action.

On the death of captain Hardinge, Lieutenant W. Dawson took the command, and nobly followed up the glorious example of his lamented captain.

Extract from the log of his Majesty's ship, St. Fiorenzo.

Sunday, March 6. At 1 o'clock, A. M. moderate and cloudy.

At 5, at day, light breezes, saw three sail, N. E. standing to the S. E.

At 10, saw a strange sail on the starboard beam. In steering-sails, and hauled to the wind on the starboard tack.

At 11, at noon, light breezes, and clear, all sail set in chase, the stranger bearing N. N. E. ½ E. trimmed occasionally as the chase altered her course.

At 1. 50. observed the stranger hauling in her larboard steering-sails, and haul her wind on the starboard tack; did the same.

At 3. 30. observed the chase haul in her lower steering-sail, and alter her course ½ point.

At 3. 35. observed the chase haul in all her steering-sail,—hauled up ½ point.

At 5. 20. set maintop-mast staysail and starboard steering-sails, mustered at quarters, and cleared for action.

At 5. 50. shewed our colours to the chase,—at sun-set, chase E. by N. ½ N. three miles distance, all sail set in chase.

At 11. 25. the chase shortened sail, and hauled up for us.—Manœuvred as necessary.

At 11. 40. received a broadside from the chase, returned ditto, and commenced action.

At 11. 55. observed stranger making sail away, and her brisk firing silenced,—left off action,—made all sail in chase. Mustered at quarters,—found three men missing, having been wounded in the action.

Monday, March 7. At 1 o'clock, A. M. light breezes and clear, enemy in sight, all sail set in chase.

At 5, at day-light, all sail set in chase of the enemy, found we had several shot holes in our sails, and the running rigging cut in several places.

At 5. 40. the enemy hoisted French colours.

At 6. 15. the enemy wore, hauled down the steering sails, and up

* Ship Assistance, captain W. C. Chapman, from Bombay, bound to Madras; ship Futtee Ghur, captain Soliman, from Bengal, bound to Bombay; ship Forth, captain W. B. Greenway, from Bengal, bound to Bussorah; brig Zephyr, captain James Henderson, from Bombay, bound to Columbo; brig Cadre, from Bengal, bound to Cananore; sloop Rose la Maria, captain W. Berdindick, from Cochin bound to Columbo. The five former have been sent to the Isle of France and the last sunk.

up main-sail—wore and steered down to close with the enemy.

At 6. 25. the enemy being a quarter of a mile distant, commenced the action by firing her broadside at our mast and rigging,---closed with the enemy as much as possible, which she endeavoured to avoid,---kept up a constant heavy fire.

At 8. 5. the enemy began to slacken her fire by only giving us two or three guns every minute.

At 8. 15. The enemy discharged the whole of her broadside, and made all sail away: kept firing at the enemy till out of gun shot, found all the lower masts wounded, main topsail yard cut in two, and our standing and running rigging so much cut that we could not make sail in chase,---all hands employed refitting the damages received in action; mustered at quarters, found five seamen and three marines killed, and thirteen seamen and one marine wounded. Noon, calm; all hands employed repairing damages.

At 1, all hands employed fitting, rigging, and preparing ship to renew the action,---enemy making off, with all sail, to the eastward---got the main topsail yard down, and another up,---shifted fore and main topsails, fore sail being cut to pieces with the shot.

At 4, light airs; enemy E. by N. 4 miles; gave slops to the gunner to make cartridges, 25 shirts, 40 trowsers.

At 7. 30. pumped ship, 3 F. 10. 1.

At 9. calm and hazy—lost sight of the enemy.

At 12, enemy in sight---East.

Tuesday, March 8. At 1, light airs, and hazy,---at day-light saw the enemy's frigate on the starboard tack, E. N. E. four leagues, made all possible sail in chase.

At 6. 30. left off chase, and hauled to the S. S. W.---people variously employed, carpenters making studding booms, shifted the main-top gallant sail.

At 8. the enemy's frigate S. 10 or 12 miles.

At 8. 30. bore up, and made all sail towards the enemy---cleared for action.

At 12. noon, moderate and clear ---enemy E. by N. standing to the S. S. W.

At 12. 40. the enemy hoisted a Dutch jack at the fore-top-gallant mast head.

At 1. saw two strange sail bearing south.

At 1. 10. made a signal for an enemy.

At 1. 13. fired a gun to leeward, as a signal to the strangers.

At 1. 20. repeated ditto.

At 1. 40. finished the main-yard, being much wounded in the last action.

At 2. made signal No. 95, to strangers, supposing them to be men of war.

At 2. 10 fired two signal guns to the strangers.

At 2. 15. hauled down the signal.

At 2. 35. the enemy hauled down her French colours, and hoisted an English ensign.

At 2. 25. hoisted French again.

At 2. 35. the enemy shortened sail---shortened sail as requisite.

At 3. brought the enemy to close action.

At 3. 15. the captain fell, being killed by a grape-shot passing through his neck.

At 4. 10. the enemy made sail away---made all possible sail, and kept up a constant heavy fire on him.

At

At 4. 20. the enemy struck his colours, sent the jolly-boat on board, with the second lieutenant, to take charge of the prize; she proved to be the French frigate La Piedmontese, mounting 50 guns, 26 and 18, with 566 men, commanded by Mons. Epton.

At 4. 40. the captain came on board and presented his sword to lieutenant Dawson, commanding officer; employed taking the prisoners out of the prize, splicing, knotting, and refitting the rigging; mustered at quarters, and found, besides the captain, 2 seamen and one marine killed, one lieutenant, five seamen, and three marines, wounded---all the lower masts dangerously wounded, stays, backstays, yards, with most of the running rigging, boats, &c. cut to pieces.

Wednesday, March 9.—At 1. calm and hazy, received —— prisoners on board.

At 6. observed the prize's mizen mast fall over the stern.

At 7. the main-mast fell, and at 30 minutes past seven the foremast, which carried away the bowsprit in falling—people employed knotting and splicing, and fitting running rigging.

At 8. 40. a light breeze from the N. E. took the prize in tow and made all possible sail on the larboard tack.

At 1. light airs and hazy; employed knotting, splicing, and fitting new shrouds and back-stays; bent the new main-sail, the old being shot to pieces.

At 3. light airs,—cast off the prize.

At 4. ditto weather; prize in company under jury-masts.

At 6. committed the body of Captain George Nicholas Hardinge, Esq. to the deep with the honours of war.

At 8. wore and stood towards the prize.

At 9. 30. departed this life, Wm. Baldwin, seaman, of wounds; wore ship to take the prize in tow.

At 10. 30. tacked; 10. 55. committed the body of the deceased to the deep.

At 12. light airs; prize in company.

Thursday, March 10.---At 1. light airs and hazy.

At 3. wore and stood to the westward, to close with the prize.

At 4. light airs, inclining to calm.

At 5. at daylight prize in company.

At 7. wore and stood to the eastward; prize in company.

At 8. light airs; prize in company.

At 10. 30. took the prize in tow; light breezes, made all sail.

At 12. noon, light airs and clear.

At 1. light airs; prize in tow; employed knotting and splicing and repairing damages.

At 3. light airs inclining to calm; cast off the prize.

At 6. a squall from the westward shortened sail as requisite.

6. 15. light airs and cloudy.

At 8. calm; prize in sight.

At 12. ditto weather; prize in sight.

Saturday, March 12.—P. M. Quarter before 2 came to an anchor in Columbo road.

List of killed and wounded.

Wounded on the sixth.—William Pitt, seaman; John Tracy, ditto; William Miller, do. slightly.

Killed on the seventh.—Thomas Marten, captain of main-top; Charles Shallwood, seaman; Robert Currel, ditto; John Middleton, ditto; William Mead, boy; William Martin, marine; John

John Luff, ditto; Joseph Litchfield, ditto killed; Joseph Meadows, seaman; William Baldwine, do. lost a leg, since dead; George Bing, seaman; John Finch, ditto; Francis Jackinan, ditto; Walter Boze, ditto; William Long, do.; John Acton, do. lost two arms; Philip Ulrick, do.; William Wakefield, do. lost an arm; Richard Lock, do.; W. J. Brown, quarter-master; John Ellier, seaman; Benjamin Poole, marine severely wounded.

On the eighth.—Geo. Nics. Hardinge, Esq. captain; John Beer, seaman, John Burn, do.; Evan Jones, marine, killed; H. C. Moysey, lieutenant; Thomas Gadsby, corporal; Thomas Clerk, seaman, dangerously; John M'Ewen, corporal marines, do.; Charles Richards, marine, lost an arm; William Pope, marine, dangerously: severely wounded, Henry Thorne, seaman; William Davis, do.; George Anger, do. slightly.

Killed - - -	13
Wounded - - -	25
Total	—38

April 13. On Monday last his excellency rear-admiral Sir E. Pellew arrived at this presidency, and on the following day landed at the Dock-head, under the usual honours, with a salute due to his rank.

Arrived at the presidency, brigadier-general Malcolm and lady, Mrs. Johnstone, captains Grant, Paisley, and Liddle.

April 22. We this day witnessed, but with mingled feelings of regret and satisfaction, the gratifying spectacle of the late French frigate, the Piedmontese, entering the harbour, under the charge of the San Fiorenzo.

She came in under jury-masts, and was towed in by the boats of the men of war, from the mouth of the harbour to her mooring ground. The flags of all the vessels in the harbour were hoisted half-mast high, and minute guns, corresponding in number with the age of the late brave commander of the San Fiorenzo, were fired from the flag-ship, the Powerful.

April 30. On Sunday last, Sir Harford Jones arrived at this Presidency, on board his Majesty's ship, Sapphire, captain G. Davies.

The Coromandel cartel, from Batavia, bound to Calcutta, passed Tranquebar on the 10th of March; by her information has been received, that the Dutch general, Daendels, with many officers, have arrived at Batavia, to take charge of the different offices at that settlement. Daendels is the officer who commanded the Dutch troops that opposed the first landing of the English at the Helder, under the command of his royal highness the Duke of York.

The arrival of this batch of Dutch and French officers, and the previous one of Mr. Cowel, to supersede Hartsink, pretty plainly proves the intention of Buonaparte to be, to rouze the lethargic, and heretofore passive, disposition of the Batavians in the Eastern Seas, to the annoyance of our commerce. Such an attempt has been long expected, but the prudence and foresight of our annual visits to Batavia, have completely frustrated the means our enemies possessed to molest us in that quarter; and thereby indisputably proved the wisdom of timely adopting measures of precaution. The late governor had left Batavia in an American ship, with all his property, to take a cargo from Cheribon to Europe. Several Danish ships were lying at Batavia, but the Dutch had only a few small craft at General Daendel's service. An insurrection had taken place at Griessie; the whole island was indeed in the same state, and the islanders declare that the Dutch shall all be murdered before the expiration of the year—a consolatory prospect for the recent importations. The ship in which General Daendels came out was overhauled on

on her passage by two men of war; the officers examined his trunks, &c. but could discover nothing suspicious. The general asserted, however, on his arrival at Batavia, that his commission was snugly deposited in his boots. (*Bombay Courier.*)

To his excellency Sir Edward Pellew, Bart. Rear-Admiral of the Red, and Commander in Chief of His Majesty's ships and vessels in the East Indies.

Sir,—In compliance with the desire of a general meeting of the merchants, ship-owners, and underwriters of Bombay, we have the honour to transmit the inclosed resolution to your excellency, as commander in chief of his majesty's naval forces in India, and to request that you will do us the honour of conveying to the father of the late gallant Captain Hardinge, and to Lieutenant Dawson, these testimonials of our reverence for the dead, of our admiration for the living, and of our gratitude towards all, who have shared in the late brilliant and memorable capture of the Piedmontese.

We have the honour to be, &c.

(Signed) C. Forbes,
W. Crawford,
W. T. Burney,
S. M. Threipland,
W. Kennedy,
Committee of Bombay Insurance Society.

Bombay, April 22, 1808.

April 9. At a meeting of the merchants, ship-owners, and underwriters of Bombay, holden for the purpose of taking into consideration the means by which the mercantile community of this settlement may best testify their high sense of the important service afforded to the commercial interests of India, by the capture of the French ship La Piedmontese; in which brilliant exploit the superiority of the British navy has been so honourably maintained, by the late gallant and lamented Captain Hardinge, and his brave companions, in his majesty's frigate St. Fiorenzo—Mr. Morcey in the chair;

Resolved—I. That a vase of the value of three hundred guineas, ornamented with emblematical devices and appropriate inscriptions, illustrative of the splendid services of the late Captain Hardinge, of his majesty's ship St. Fiorenzo, be presented to his father, to be preserved in his family, as a lasting memorial of the admiration excited by the heroism of his son, and a mark of the gratitude of this community, for the important benefits rendered to the commercial interests of British India, by the capture of the Piedmontese, in which the decided superiority of his majesty's navy has been so gloriously maintained.

II. That a sword of the value of one hundred guineas be presented to Lieutenant Dawson, of his majesty's ship St. Fiorenzo, in testimony of the exalted sense entertained by this community of the skill and valor with which, in the recent memorable action with the Piedmontese, emulous of the fame of his fallen commander, he followed up and completed the success of the day.

III. That Lieutenant Dawson be requested to undertake the grateful office of distributing in such proportions as he may think proper, the sum of five hundred pounds sterling, among the wounded and relatives of the gallant seamen and marines who fell in the action.

IV. That these resolutions be conveyed to his excellency Sir E. Pellew,

Pellew, Bart. with a request that he will be pleased to communicate the same to the father of the late Captain Hardinge, and to Lieutenant Dawson.

V. That the committee of the Bombay Insurance Society be a committee to carry these resolutions into effect.

(Signed) T. W. MORCEY,
Chairman.

To the Committee of the Bombay Insurance Society.

Gentlemen,—I have to acknowledge the receipt of your letter of the 22d inst. inclosing the resolutions of a general meeting of the merchants, ship-owners, and underwriters of Bombay, (of which you are a committee) upon the late gallant action between his majesty's ship St. Fiorenzo, and La Piedmontese French frigate, and requesting me to convey these resolutions to the father of the lamented Capt. Hardinge, and to Lieut. Dawson, upon whom the command devolved after the fate of his much distinguished commander.

I receive this request with sentiments of the most grateful satisfaction. Resolutions so honourable to those gentlemen who have thus handsomely expressed their high sense of the services of Captain Hardinge, Lieutenant Dawson, and their gallant followers, will assuredly be received by the parties with just consideration.

The relatives of those who have fallen in this brilliant achievement, will find an alleviation of their grief in this honourable testimony to the memory of the deceased, and their surviving comrades will feel an honest pride in the approbation of those who are so competent to appreciate the value of their eminent services.

I am, Gentlemen,
Your very obedient servant,
(Signed) EDWARD PELLEW.
His Majesty's Ship Culloden,
Bombay Harbour, April 25, 1808.
(True copies) JOHN FORBES,
Secretary to the Bombay Insurance Society.

H. M. S Culloden, Bombay,
April 29, 1808.

Gentlemen,—I have the honour to transmit to you, by order of his excellency, a copy of his letter, to Lieutenant (now Captain) William Dawson, of his Majesty's ship St. Fiorenzo, conveying the resolutions of the general meeting of the merchants, ship-owners, and underwriters of Bombay, upon the capture of La Piedmontese, together with the reply of that officer, expressive of the high sense of respect and acknowledgment with which these testimonies of honourable consideration for public services have been received.

I have the honour, &c.
E. H. LOCKER.
To the Committee of the Bombay
Insurance Society.

H. M. S. Culloden, Bombay,
April 27, 1808.

Sir,—You will receive herewith the resolutions of a general meeting of merchants, ship-owners, and underwriters, at Bombay, upon the occasion of the late distinguished action between his majesty's ship St. Fiorenzo and La Piedmontese, which, at their request, I have now great pleasure in forwarding to your hands.

Although the applause of your own bosom will be estimated by you as an ample recompense for those eminent services, by which you have thus nobly supported the repu-

reputation of your country, you cannot fail to receive very great satisfaction in these public marks of approbation from a body of gentlemen so respectable as the merchants, ship-owners, and underwriters of Bombay.

I have the honour to be, &c.

E. PELLEW.

To Lieut. W. Dawson, acting in the command of His Majesty's Ship St. Fiorenzo.

(True copy) E. H. LOCKER.

H. M. S. St. Fiorenzo,
Bombay Harbour, April 28, 1808.

Sir,—The honours conferred on us by the resolution of the merchants of Bombay, are most sensibly felt by myself, the officers and ship's company of the St. Fiorenzo: they acquire superior value by being conveyed to us through our commander in chief.—Your excellency has communicated them in a manner highly grateful to our feelings. The handsome tribute to the memory of our lamented captain, is contemplated by his followers as a most honourable testimony of that respect in which his character and public services are universally held.

In accepting the sword which they have been pleased to present to me, may I request your excellency will express for me those respectful sentiments of acknowledgment with which I receive this public mark of their approbation.

In the pleasing task of distributing their bounty among the sufferers on this occasion, I shall receive the highest satisfaction. I am now requested, by those who are about to experience their liberality, to present, through your excellency, their united thanks to those gentlemen who have thus distinguished their services.

I have the honour to be, Sir,

(Signed) W. DAWSON.

To Sir E. Pellew, bart. Rear-Admiral of the Red, &c. &c. &c.

(A true copy) E. H. LOCKER.

The inhabitants of Bombay have followed the example of the merchants of that presidency, and in order to manifest their "reverence for the dead, their admiration of the living, and their gratitude to all who shared in the brilliant and memorable capture of the Piedmontese," have opened a subscription for the erection of a monument in the church of Bombay, to the memory of Captain Hardinge, late of H. M. S. St. Fiorenzo.

This subscription was set on foot, at the suggestion of Sir James Mackintosh, through the medium of the following letter, addressed *To the editor of the Bombay Courier.*

Sir,—Yielding to the first impulse of those feelings, with which the heroic death of Capt. Hardinge has filled my mind, I take the liberty of proposing to the British inhabitants of this presidency a subscription for erecting a monument to his memory, in the church of Bombay; a grateful nation will doubtless place his monument by the side of that of Nelson, but the memorials of heroic virtue cannot be too much multiplied.

Captain Hardinge fell for Britain; but he may more especially be said to have fallen for British India.

I should be ashamed of presuming to suggest any reasons for such a measure. They will abundantly occur to the lovers of their country. Nor can I at present bring my mind to consider any details of execution. If the measure in general be approved, such details can easily be arranged.

JAMES MACKINTOSH.

In a few weeks nearly 20,000 rupees, upwards of 2,000l. sterling, were

were subscribed. At the head of the list were recorded, the names of the gallant admiral, sir E. Pellew, and that of sir James Mackintosh, the learned and eloquent Recorder of Bombay.

Lieutenant, now Captain Dawson, and the officers and gallant seamen who shared in the brilliant achievement, have subscribed liberally, as a tribute of affection and esteem for the memory of their lamented Captain. The subscription of the seamen, we mention to their honour, is *five hundred guineas*, to be paid out of the prize money arising from the sale of the Piedmontese.

As a vessel was expected to sail for Europe about the beginning of May, it was judged proper to close the subscription, and to take immediate steps for procuring a monument worthy of the liberality of that community, and of the present state of English art.

The following gentlemen were accordingly appointed a committee, on behalf of the subscribers, to give the necessary instructions for the preparation of the monument, for its conveyance to India, and for its erection in the church of Bombay:—

His excellency Sir E. Pellew, Bart. Sir James Mackintosh, Major-General Jones, William Taylor Money, Esq. Francis Warden, Esq. S. M. Threipland, Esq. E. H. Locker, Esq and G. C. Osborne, Esq. The list of subscriptions raised at Broach and Tannah had not been received when the ship sailed from Bombay, but their arrival was daily expected.

Occurrences for May.

May 3.—The annual produce of cotton at Bombay, which was formerly about 6000 bales, is now estimated at 85,000; of which, it is said, a considerable quantity has been purchased by government, who are now loading the Wexford Indiaman with that article for the Europe market.

May 14.—On Wednesday last, the large and beautiful ship, belonging to Messrs. Forbes and Co. built under the directions of Jamsettjee Bomanjee, floated out of the upper dock, in the presence of his excellency Sir E. Pellew, W. J. Money, Esq. and a large assembly of spectators.

She was christened by Sir E. Pellew, with a bottle of good English porter, and is named the Bombay; her burthen is 1250 tons.

May 25.— A comparison has been made of the quality of British and of French powder; used in the late gallant action of his Majesty's ship San Fiorenzo, with the French frigate La Piedmontese; and a decisive proof has been the result, as to the superiority of this essential ingredient in British thunder. From a seven-inch brass mortar, with three ounces of powder, a sixty pound brass ball was projected at an angle of 45°, and on an average of three trials gave 595 feet to the San Fiorenzo, and 516 feet to the La Piedmontese, making a difference in favour of the British powder of 79 feet.

After such an experiment, it must appear singular that the French should be so partial to a long shot.

May

May 26.—An article from Bushire states the expected arrival, at that place, of a person of high rank and consideration, appointed by the king of Persia, to officiate as mehmander to the embassy of Brigadier-general Malcolm.

Occurrences for June.

June 2.—Yesterday, the anniversary of the memorable first of June, a splendid ball and supper was given by the captains of the royal navy, to the ladies and gentlemen of the presidency. The spacious house in Forbes-street, allotted by the government to their residence, was superbly illuminated on the occasion, and the noble suite of rooms decorated with appropriate ornaments. A variety of naval colours, disposed in beautiful festoonery, produced a happy effect, while several transparencies and drawings, tastefully arranged, awakened the liveliest feelings of sympathy with the subjects to which they alluded. Amongst these was the St. Fiorenzo and Piedmontese in close action, at the period of the contest, when the gallant Hardinge fell.

A transparency well conceived, and happily executed, paid a just tribute to his excellency Sir E. Pellew, in representing the LaNymphe and Cleopatra, commencing the first engagement, which took place in the last war; an action which proved the auspicious omen of our subsequent dominion of the ocean.

Another large transparency represented the glorious battle of the first of June, 1794; perhaps the most critical and decisive of the fate of the British empire, of any that was ever fought.

The company assembled at ten, and did not depart until the dawn of the ensuing day.

June 8.—On Saturday last, his Majesty's birth day was kept with becoming magnificence. A royal salute from the battery was returned by a *fue de joye* from his Majesty's, and the honourable Company's, ships in the harbour; and in the evening, Sir Harford Jones, his Majesty's envoy to the court of Persia, gave a sumptuous dinner to the governor and gentlemen of the settlement in honour of the occasion.

June 25.—By letters from Madras we learn the safe arrival there on the 13th instant, of his Majesty's ship Culloden, having on board the flag of his excellency Rear-admiral Sir Edward Pellew, after an extraordinary quick passage of nine days from this place. The Culloden captured the L'Union privateer brig, of eight carriage guns and seventy men, on the morning of the 10th, the basses bearing N. N. E. 50 miles. The privateer at first gave chase, but discovering his mistake when the Culloden hauled to the wind after him, he instantly took flight, but the wind being high, and the sea heavy, he was taken after a chase of two hours and a half on the same tack.

Occur-

Occurrences for July.

July 2.—Yesterday arrived at this Presidency a detachment of artillery and pioneers under the command of captain Fitzpatrick, they marched overland from Madras.

July 10.—We have received accounts of general Malcolm having landed in safety at *Bushire*, and having sent on Mr. Pasley to announce his approach.

Instead of 300 Frenchmen, as had been reported, it had been ascertained that there were only 30 at the court of Persia. Who they are, or of what rank or description, we have not been able to learn; but from the known intrigues, and activity of their nation, it is to be feared it will be matter of much difficulty to counteract their influence. It is clearly the policy of Persia to keep on good terms with the power at the head of affairs in India, without making itself a party in any contest of rival Europeans. Still there is considerable apprehension that the baits held out by the French, though delusive, may at first sight be so alluring as to procure a co-operation. To general Malcolm's ability, we trust for representing that such a co-operation, if successful, would tend only, as it has invariably done in Europe, to establish a power which would evince its gratitude to those that had assisted in its elevation, only by making them the first objects of humiliation and oppression.

July 20.—On Thursday last, the quarterly sessions of Oyer and Terminer, and general gaol delivery, commenced before Sir James Mackintosh, Knight, recorder, and his associates, Luke Ashburner, Esq. Mayor, and Robert Stewart, Esq. Alderman.

GRAND JURY.

Charles Forbes, Esq.
Foreman.

John Smee,	T. D. Beattie,
John Fell,	J. Williams,
R. W. Coward,	H. R. Whitcome,
J. Falconer,	J. Leckie,
C. Shubrick,	Evan Lloyd,
G. V. Drury,	Thomas H. Davies,
E. Nash,	William Stotton,
R. Nisbett,	P. Gardiner,
William Moffat,	Will. Mackintosh,
M. Craig,	T. A. Pope, and
Thos. Maughan,	J. Pavin, Esqrs.

Paskie woman, indicted for the murder of her child, was tried and acquitted.

Buggie woman, widow of Dhoondie, and Condie woman, were tried and convicted, on their own confession, of poisoning the husband of Buggie.

Never did there appear a more striking instance of insensibility, than was exhibited by these wretches, both on their apprehension and their trial.

Mr. Thriepland, the advocate-general, conducted the prosecution, and prefaced the proceedings by observing, that the crime of murder was greatly aggravated, in the case before the court, by the relation, which subsisted between one of the prisoners and the deceased, and by the mode of death to which she had resorted. Murder by poison, had always been accounted the most atrocious of any, from the deliberation which it implies, the facility with which it is perpetrated, and the impossibility

sibility of guarding against such secret means of homicide. From most other acts of violence, a man has, at least, an opportunity of defending himself; but, in cases of poison, he is taken by surprise, and his death ensured before he is aware that his life is in danger.

We subjoin the evidence that was given on the inquisition.

The declaration of Buggie woman, wife of Dhoondie Hindoo, taken before Joseph Douglas, coroner, upon an inquest held on view of the body of the said Dhoondie, deceased, this 20th day of May, 1808.

Declares,—That she hath been married to her late husband many years, but they have not lived together on account of frequent quarrels; that her husband came from the other side about a month ago and lived with her: when upon her husband's being unwell about a fortnight ago, she gave to one Condie, an old woman, five rupees, to buy some medicine for her husband, saying, "that she had quarrelled with her husband, therefore get some medicine that will kill him," which the old woman promised her to do: that about three days afterwards, she applied for the medicine, and the old woman gave her some, and said this is the poison; it was white powder in paper; that on Wednesday night last she mixed the said powder with her husband's rice, part of which she saw her husband eat; that her husband died about three o'clock this morning.

The mark + of
BUGGIE WOMAN.

Taken and acknowledged with her own free will before me.

(Signed) JOSEPH DOUGLAS,
Coroner.

The declaration of Condie woman taken before Joseph Douglas, coroner, upon an inquest held on view of the body of Dhoondie, deceased, this 20th day of May, 1808.

That about five days ago, Buggie woman came to this examinant's house, and desired her to give her some poison for her husband, saying, she had quarrelled with her husband, upon which the examinant gave her some arsenic, in small pieces, in a paper, telling her it was arsenic poison; Buggie then informed her that, as soon as she should have succeeded in her business, (which this examinant understood she meant to be the death of her husband) she would give her twenty-five rupees, as a present, then Buggie desired this examinant, that if she should send one Rave woman in the evening, she must give her some more of the same medicine that he may die quickly; and this examinant lastly says, that Rave woman came to her in the evening, and told her, that Buggie had sent her for her medicine, when she gave her a piece more of arsenic tied in a cloth.

The mark + of
CONDIE.

Taken and acknowledged with her own free will before me.

(Signed) JOSEPH DOUGLAS,
Coroner.

The examination of John Rogers, country surgeon, taken before me Joseph Douglas, coroner, on an inquest held on view of the body of Dhoondie, deceased, this 20th day of May, 1808.

This examinant being first duly sworn, deposes, and saith, that upon opening the stomach of Dhoondie Hindoo he found almost the whole internal surface in a highly inflamed state, and several large

large gangrenous spots in different parts, which he has no hesitation in declaring, to the best of his opinion, was the cause of his death, and also is of opinion, that these appearances have been produced by a white powder, several particles of which were found in the stomach, and to all appearances resembled the white calx of arsenic, but which could not be collected in sufficient quantity to be more clearly ascertained.

(Signed) JOHN ROGERS,
Assist.-Surgeon.

Taken before me, the day and year above written.

(Signed) JOSEPH DOUGLAS,
Coroner.

A young Parsee was also convicted on his own confession, of stealing a quantity of wine from the residence of his Majesty's navy captains.

At the last sessions for this place, Mahomed Aga, an Arab, Nocquedah of the ship General Baird, was indicted on Stat. 9 and 10, W. 3, c. 41. for having a quantity of cordage, marked with the king's mark, found in his possession, he not being a person employed by the commissioners of the navy to make the same for the king's use.

After the jury had been charged, the advocate-general was proceeding to state the case on the part of the prosecution, when he was stopped by the counsel for the defendant, who stated that, as neither the fact of possession could be disputed, nor any certificate, under the hands of any of the king's officers, of the occasion of such stores coming to the possession of the defendant could be produced, they proposed that that a verdict of guilty should be taken.

But as the defendant was not a regular inhabitant of Bombay, but a foreigner and a stranger, and, therefore, not likely to be acquainted with the provisions of the act in question, which made the bare fact of possession without the required certificate conclusive against him, they trusted, that Mr. advocate-general would not think it necessary, in this case, to press a rigorous adherence to the maxim of law, that *ignorantia legis neminem excusat*, but would admit the reasonableness of their application, that the defendant should be discharged without receiving any punishment. In making this application, however, the counsel for the defendant wished it to be understood, that, in addition to the strong presumption of ignorance, arising from the circumstance of his being a stranger, the instructions they had received would enable them, if necessary, to make out a strong case to shew, that no fraud or misbehaviour in acquiring possession of the cordage was imputable to the defendant.

The advocate-general observed, that from the enquiries he had made he was led to believe, that the plea of ignorance was more than a pretence on this occasion. The prisoner was certainly a stranger, and might not be aware that the mere possession of the stores in question was sufficient to subject him to conviction and punishment. It was but reasonable that some allowance should be made in a place like this, the resort of foreigners of all descriptions, to whom, on many occasions it would be far from equitable to apply the principle, that ignorance of the law excuses no man. This, however, was the second warning on

on the subject which had been given, and he begged it to be noticed, that he should not feel himself at liberty to be equally lenient in any future instance of the same offence.

The honourable the recorder approved entirely of Mr. advocate-general's assent to the application, which had been made in behalf of the prisoner, which acquiescence, however, he had very properly intimated would not again be so readily obtained. The law on the subject, though severe, was extremely necessary, and after due notice had been given of the intention to carry it into effect, it was not to be expected that excuses would be listened to.--- On the present occasion, the clerk of the crown would record what had taken place, and discharge the prisoner on his own recognizance.

Mahomed Aga was then called to the bar, and discharged accordingly.

The stores, of which the *concealment*, or the *bare possession*, unless by persons properly authorized to make them for the king's use, will subject the party to conviction, are as follow :

Any cordage of three inches and upwards wrought with the white thread laid the contrary way.

Any smaller cordage, viz. from three inches downwards, with a line in lieu of a white thread laid the contrary way.

Any canvas wrought or unwrought, with a blue streak in the middle, or with a blue streak in a serpentine form.

Any bewper, otherwise called buntin, wrought with one or more streaks of raised tape.

Any other stores, with the broad arrow, by stamp, brand, or otherwise.

Occurrences for August.

August 2.—The Recorder delivered the judgment of the court, in the interesting cause of Mulhar Row, *vers.* Hormusjee Bomanjee, in terms nearly as follow :

This is an issue directed by this court, as a court of equity, to try the question, whether the soil and freehold of a spot of ground called Baboolnauth Hill, be in the defendant, or in the Hindoo community, for the purposes of their religious worship. This spot is admitted on both sides, to have been, in the year 1774, the property of one Pandoo Sewjee ; and the question of fact, on which the issue depends, is, whether, in April 1800, it was in Pandoo, or in the Hindoo community. If it were then the property of Pandoo, it must now be that of the defendant. If it were then vested in the Hindoo community, it must still continue so to be vested. All Pandoo's property in the neighbourhood was then purchased at a sheriff's sale by the defendant. If this spot had before been *fully and lawfully* conveyed to the Hindoo community, it could not have been acted upon by a judgment against Pandoo ; if it were not, it was certainly purchased from the sheriff under an execution against Pandoo's property; and is now the freehold of the defendant.

As a question of fact and law, it is short

short and not difficult.---But it is of great importance, as it affects the religious opinions and usages of the Hindoos and Parsees, the one of whom claim the ground as the site of a temple dedicated to their worship, while the other seek to deliver themselves from this temple as an intrusion upon that solitude, which they desire to spread round the mansions of their dead. I trust that both parties will acknowledge, that we have investigated, with the utmost patience, labour, and respect, their rites of sepulture, and of worship, all of which are repugnant to our manners, and some to our moral principle. In this respect, indeed, we have only done our duty. We do not affect to *tolerate* the religions of our subjects as if they were matters of sufferance and indulgence. We *protect* them equally and rigorously, and we take care that they shall be no more treated with insult or levity in this court, than they would be by judges who deemed the rites to be sacred.

In the present case we have to consider the usages of the most ancient nations, and religions of the world. The Hindoos have strong claims on our attention from the mere circumstance that they form, the vast majority of our subjects in India; and as one of the earliest of civilized nations, they will not be contemplated by liberal and generous minds, without some portion of compassionate respect. The Parsees are a small remnant of one of the mightiest nations of the ancient world, who, flying from persecution into India, were for many ages lost in obscurity and poverty, till, at length, they met a just government, under which they speedily rose to be one of the most opulent mercantile bodies in Asia. In this point of view, I consider their prosperity with some national pride. I view their wealth as a monument of our justice; and, I think, we may honestly boast, that the richest inhabitants of this settlement are not of the governing nation. This little tribe is, on other accounts, interesting. They have preserved the activity of their minds, and the vigour of their bodies, during a residence of a thousand years in India. This is a sufficient refutation of those dastardly and degrading theories, which represent courage and understanding as incompatible with a vertical sun, and which ascribe to climate, that degeneracy which ought to be considered as one of the effects of superstition and tyranny.

> What fancied Zone can circumscribe the soul,
> Who, conscious of the source from which she springs,
> By reason's light on resolution's wings,
> Spite of her frail companion doubtless goes,
> Through Lybia's deserts, and o'er Zembla's snows?

They are said to be "purse-proud." Even this unamiable quality is a mark of some progress. Wealth must be secure, before men can be purse-proud. Under a rapacious tyranny the purse inspires more fear than pride. There is a sort of moral *interregnum*, after nations have thrown off their ancient prejudices, before they have substituted nobler principles in their stead. The appearances exhibited by men in this state of mind, have, sometimes, on a large scale, been the most dreadful in the history of the world. On the smallest scale they are not agreeable.

The Parsee merchants are intelligent enough to know and feel the difference of their present from their

their former condition. They know that, as long as they lived under tribunals, which could be influenced by favour, they were poor and miserable; and that they have become rich and flourishing since they were subject to courts, where favour and partiality would be considered as a greater abomination, than those sacrilegious pollutions, which they hold in the greatest abhorrence. If they were again to fall under courts that could be influenced, their wealth would speedily vanish. They will not be such suicides, as, for the sake of avoiding some disagreeable judgments, to wish that the principle were weakened, on which their safety and their wealth depend.

Something has been said of policy:---The only policy that can be considered in this place is justice, which, as a great man has well said, "*is itself the standing policy of civil society*." But I am persuaded, that there never was any disaffection among the Hindoos, and that a submissive and gentle nation, which has yielded passive obedience to so long a succession of tyrants and persecutors, feel nothing but gratitude towards those who protect their property and their religion. No grounds for such a disaffection were most certainly ever furnished by those persons, respectable for their blameless lives, entitled to the veneration of all men for their disinterested purpose, who have sacrificed all the ordinary pleasures and advantages of life, well, or ill-founded, of spreading Christianity in the East, who would spurn with horror the aid of coercion, if it were offered, who disclaim even the favour and countenance of authority, and who desire only that toleration, or rather obscurity, which a Christian government most justly affords to its Hindoo and Mahometan subjects.

But to return:---The question is, whether, before the sale by the sheriff, in 1800, Pandoo Sewjee had not devoted this spot to the public use of the Hindoo community, by building and consecrating a Pagoda upon it.

The question depends upon considerations of *fact and law*.

1st. The case of *fact* for the plaintiff consists of two parts.

The original consecration of the Pagoda, and the solemn renunciation of the property, is proved, by two eye-witnesses, the Bramins, who say, that they took part in the ceremonies. That the Hindoo code admits considerable laxity on the subject of religious perjuries, seems beyond all doubt, though it is not easy to determine how far this relaxation extends; and it is the less necessary, because it seems to be faintly denied, if not absolutely admitted for the defendant, that some sort of consecration, regular or irregular, for private or public uses, did then take place. It is of no great importance also, because I shall treat the testimony of the Bramins, according to the principle of Indian law, quoted by the counsel for the defendant, from my friend's, Major Wilks's, excellent Report on Mysore, "*that a witness is not to be believed, unless his testimony be supported by other circumstances.*"

The plaintiffs has accordingly endeavoured to support their testimony by several circumstances, the most important of which is the notoriety of the subsequent public use and enjoyment of the Pagoda, by the whole Hindoo community, for a period of twenty-five years.

This is proved by four Bramins, one of whom was the officiating priest

priest of this Pagoda for thirteen years, and another assisted at a religious ceremony performed in it with twelve other Bramins.

It is proved by five considerable Hindoo inhabitants of different casts, unconnected with Pandoo Sewjee, and residing at some distance from the spot, who have occasionally offered their devotions in this temple, and who must be considered not as single witnesses, but as representatives of the classes to which they belong. They seem to include the whole community. They were distinguished from the rest by no circumstance of neighbourhood or connection. Their admission seems, therefore, evidence of indiscriminate enjoyment.

Two inhabitants of the village of Ghirgon prove, that this spot, before the erection of the Pagoda, was the object of reverence to that village, that they visited the spot in their religious processions, and that, since the pagoda has been built, they repair thither with the same veneration as to the most renowned temples of the island. Now, what is open to a whole village must be considered as public.

The use of the Pagoda, indeed, by the village, is proved by the defendant's principal witness, Pillagee, who also proves the fact of some sort of consecration, whether regular or irregular. The consecration is rendered probable by the deceit which Pandoo practised on the Punchaset of the Parsees, manifesting his serious intention, and eager desire to consecrate; and by the previous sacredness of the place and tradition, that it had been the seat of an ancient temple, proved by many witnesses, and particularly by the respectable testimony of Mr. Burrows.

This circumstance of subsequent public use is of such nature, that if it had been false, it could easily have been disproved; and it is so important as to be almost decisive, for it never can be supposed that, without some previous consecration, such an use could have arisen or continued. Nothing, therefore, turns upon the credit of Bramins, or of other Hindoos, in a cause where their religious zeal is engaged. The whole depends on circumstances which cannot lie.--- Some sort of consecration is proved even by the defendant's principal witnesses; and the subsequent public use is not attempted to be disproved.

It is, however, said for the defendant, that the subsequent conduct of Pandoo proves his consciousness, that he had not dedicated this spot to religion and the public; that he received the profits of the field, and permitted pollutions in the Pagoda, which never could have happened if he had not known there was no consecration.

But as he maintained the priest, he might think himself entitled to the surplus revenue; and as to the profanations, whatever their legal effect, which is matter for future consideration, it is obvious that, for the present purpose, they prove too much; for it never can be doubted that he meant to establish at least a private Pagoda; and it cannot be contended that these profanations would not as much affect a private as a public Pagoda.

But it is said that this was only a private Pagoda; it is, however, said gratuitously. It has no support from the evidence, which is universally in support of indiscriminate admission. If the evidence is altogether to be rejected, there was

was no pagoda either public or private. If it is at all believed, it establishes a public pagoda and no other. There is no trace of any other, there was either a public Pagoda or none.

It seems, therefore, to be a fact most certainly established in this case, that Pandoo did actually consecrate and renounce to the Hindoo community the spot now in dispute.

2d. But the great, and, I think, the only arguable question remains, whether this consecration and renunciation be valid by the religion and law of the Hindoos.

It is held by the pundits of this court, and of the Sudder Dewannee Adawlut, that Urcha, a sort of lustration, the ceremony employed on this occasion, is the proper ceremony in case of old images of a divinity, or symbols of his worship, which have been profaned. It is held by Vincantee Shastree, from Benares, and by ———, from the Carnatic, that Pruteeshta must be performed in all cases where the symbol of Mahadeo has not been found in the bed of a river formed by the hand of nature.

Both parties have produced texts of books deemed sacred, or, at least, respectable in support of their opinion.

Before I consider this difference of opinion, I must observe, in fairness to one, who is too modest ever to claim justice for himself, that, without the guidance of Mr. Erskine, I should not have thought myself safe on such ground as this, and that this court possesses in him an officer, whose knowledge, distinguishing judgment, and enlarged understanding, afford a most unusual security against imposture, in all matters regarding the religion, laws, manners, or languages of India.

These foreign Bramins, when they oppose the opinion of our native law officers, must do so under considerable disadvantages. Of them we know nothing; we are well acquainted with the character of our own pundits. They have little to lose by falsehood; they are at Bombay to day, and at Benares to-morrow. Our pundits risk their all by imposition; detection subjects them to the loss of their consequence, their character, and their very livelihood.

It is further to be observed, that the foreign Bramins are, on this occasion, not pundits. Under the general appellation of Bramins are comprehended many classes, of whom the great majority neither possess, nor pretend to learning. Great numbers are engaged in occupations purely secular; many others, the officiating priests in temples, know nothing but the detail of their ordinary ceremonies, and recite, often without understanding, the Sanscrit verses, which form part of their liturgies. The Shastrees are a higher class, and may apply themselves to any profane science. But the Pundits alone are doctors of theology and law. One of these witnesses was at first guilty of an affectation not quite peculiar to India. He gave himself out as more learned than he proved to be. But he did not persevere very strongly, and he soon acknowledged that he was no Pundit, and, consequently, not an authority of equal weight with the native law officers of this court.

But what was still more important is, that both these foreign Bramins are the adherents of a sect perfectly different from that whose rites

rites are now in question. They are both Veishnuvees, and the question before us respects the worship of Mahadeo. Their liturgical tests only relate to the worship of Veeshnoo. One of them says, that he knows nothing of the worship of Sheva, but from hearsay. The other saw one consecration of a temple of Sheva, but he could be expected to have little accurate knowledge of the subject, who, as the follower of another sect, was obliged to retire, when the moment arrived for the performance of the most sacred ceremonies.

These Veishnuvee Bramins are in truth no more authorities about the worship of Sheva, than the archbishop of Toledo would be about the discipline of a Quaker meeting.

But even supposing that these priests of another sect, of an inferior order, of a foreign nation, of probably less learning, and of a character totally unknown to us, for whose intelligence and probity we have no pledges, were to be thought more correct in their general doctrines, than the Pundits of Bombay, this would by no means be decisive of the present question. The only necessary consequence would be, that the Hindoos of Bombay have deviated from the path of orthodoxy, that they are schismatics, or even heretics. Be it so; still a schismatic or heretic may found a temple. An heretical or schismatical community may receive and enjoy it. Our business is not to reform the errors and abuses which may have crept into the Hindoo church. We are to protect all our subjects in the exercise of that religion which they think right; and we are not to measure it by the standard which we ourselves think right, still less are we to try it by comparison with what the learned or orthodox doctors of Benares, or Triputee, think right. Our question is, what is the usage of the Hindoos of Bombay, of whom the founder was one, and to whose use he dedicated this temple. Now of that usage our Pundits must be allowed to be the best witnesses; and they tell us that, according to that usage, this Pagoda is rightly consecrated. They state, indeed, that the same ceremonies were employed in the consecration of the most sacred Pagodas of that island, as that of Mumba Devi, herself, the guardian goddess, from whom it has received its name. It is sufficient for the purpose of this cause to decide, that this was a legitimate consecration, according to our local usage. To proceed upon other principles would lead to inextricable confusion. In a religion like the Braminical, spread over so vast an extent of country, many parts of which are ignorant, and have little communication with each other, there must be great local varieties in rites and ceremonies, especially in liturgical formularies which have fluctuated even in learned countries, and unvarying religions. It is divided into innumerable sects, and the opinions of the doctors, both philosophical and theological, differ as much as the practice of the vulgar. In such circumstances, if we were to enquire beyond the established usage of a district, or a feast, we should transform ourselves into a synod, for trying the orthodoxy or heterodoxy of Hindoo communities.

But it is said, that even among the plaintiff's statements of law, Pruteeshta was here the proper ceremony, because the Leeng was not found

found but new, being made by Peer Mahomet.

Granting this fact to be proved, it is somewhat hasty to conclude, that, because a consecration is originally defective, we must, at the distance of thirty years, determine it to be void. There are many cases, even in our European codes, where the omission of a form, directed by law, does not invalidate an act. *Fieri non debet Factum valet.* But in African law, this must recur much more frequently. There moral precept and legal prohibition, ethics and jurisprudence, are blended, and all are engrafted upon superstition. It becomes a matter of great difficulty to separate these mingled ingredients; to determine what is properly law, and what, according to our distinctions, is only morals; what omission shall invalidate a transaction, and what shall be regarded as a mere offence against religion. In the present case, our Pundits inform us, that even if the story, told for the defendant, be true, though Pruteeshta might have been the more proper ceremony, yet Urcha is sufficient to confer sanctity on the temple. And they add, what seems extremely reasonable, that time and long enjoyment have here their usual effect of sanctioning that which might have been originally defective or irregular. Taking them to be the most competent judges, with the above reservation of local usage, the court decides this point, on their authority. I shall, therefore, forbear to make any observation on the scanty and suspicious evidence, given respecting Peer Mahomet, a man never heard of, but by one witness, and by him seen only once, a Mussulman so strangely employed in fabricating what he must have regarded as the most odious and monstrous symbol of idolatry.--- Nor is it necessary to observe, on the improbability, that Pandoo, who, upon every hypothesis, meant to consecrate a private Pagoda, should have voluntarily adopted a mode of consecration equally imperfect for private as for public pagodas, when it was so easy for him to have performed Pruteeshta.

It is farther argued that Pandoo desecrated this pagoda by suffering Toddy to be kept in it, &c.---Be it so.---The consequence may be that, by the Hindoo religion, *Urcha* must be performed before it can again be lawfully used as a temple. But the consequence cannot be that, by his acts of profanation, he retracted the donation which he made to the Hindoo community.--- That is impossible.---It is impossible for a donor to retract his donations by any act of his own. He cannot resume the property of which he has fully divested himself: the contrary indeed cannot be maintained without a contradiction in terms; for to resume property is to exercise legal authority over it. But to divest ones self of prop rty, is to cease to possess legal power over it. The ground may not now be *sacred*, but it is still *public*. It will again become *sacred* when it is lustrated and purified. No evidence of Pandoo subsequently considering or treating this spot as his private property can be important, unless it were of force to break down the whole mass of that evidence which shews that he had once renounced it to the community. In any other point of view it can only be considered as proof of his profaneness and usurpation. He might desire to resume it---but he had done an act which was irrevocable.

I have no doubt that the sheriff intended to sell this spot---But his

opinion is of no importance. *The judgment against Pandoo could only affect that which was then his property.*

But though the sheriff's opinion can never be supposed to have the least weight with respect to the important questions of law and fact, which are now in dispute, I think myself bound to say, that I consider that opinion as a full justification of the conduct of the defendant. It was most natural for him to conceive that to be his undoubted property of which the sheriff delivered possession to him. As such, it would have been strange if he had not defended it. The neighbourhood of the tombs is fairly stated as only a collateral inducement---Nasserwanjee Monackjee, an opulent Parsee merchant, of whom I have always heard a good character, has told us that they consider the rites of the Leeng as an instrusion into the neighbourhood of their tombs, more than usually obnoxious.

Here we see the immutable character of an Asiatic race. The remains of those Persians who three and twenty centuries ago, in the armies of Xerxes, destroyed the temples of idols, who were among the most ancient monotheists and iconoclasts of the world, still preserve their abhorrence of idolatry, and shew it with peculiar force against those idolatrous symbols which, though they are to be found from the mountains of Thibet to the Appenines, are always peculiarly abhorrent from the moral sentiments of man unperverted and undegraded by superstition.

There is scarcely any thing in which all nations more agree than in sentiments of affection and reverence for the remains of the dead. It is a necessary consequence of the most general laws of the human mind: every thing the most slightly connected with those whom we loved is dear to us---Their remains are sacred. The honours paid to them may be considered as the opposite of cannibalism. Funeral honours are an exercise of affection towards the remains of those who were loved; cannibalism is an exercise of revenge on the remains of those who were hated. The one nourishes that benevolence from which it issues, and which it seeks to extend beyond the narrow limits of life---The other exasperates and barbarizes the malignity from which it springs, and on which it struggles to bestow a sort of infernal immortality.

But in this, as in other cases, the same common sentiments assume, in different nations, the most dissimilar and adverse forms. Reverence for these beloved remains have prompted many nations to adopt the practice of burning their dead. It seems a pure and elegant mode of exempting them from the power of corruption, and of preserving them in such a form that they need not be banished from the view of the affectionate survivors---But to those who have not adopted this practice it would probably appear like offering violence to the object of affection; it would seem to be a sort of second killing; a barbarous and impious destruction of what even death had spared.

Sentiments equally pious have led perhaps the majority of mankind to the very dissimilar practice of interment, to remove the sacred remains from the situation where they can be seen in a humiliating and disgusting state, to guard them from the world and insulting eye of the stranger, to enclose them in the tranquil bosom of the earth, with a thousand

a thousand imaginary securities against violation, and to leave them to the gentle and gradual decay of nature, without taking any active part in their destruction.

Feelings of a very similar nature led the ancient Persians to that peculiar mode of burial above ground, which is still practised by their descendants in this country; and it must be acknowledged, that no sentiment can be more natural than the desire of insulating such repositories of the dead, of guarding them by a sort of sacred solitude from outrage, from the eye of frigid curiosity, and perhaps from the abhorrence of adverse sects.

For, nearly as the feelings which produce this mode of disposing of the dead approach to those which lead to the common practice of interment, there is, perhaps, none at which our habitual sentiments are more apt to revolt; but, if our own mode of burial were a new practice, to be examined for the first time, it is not without circumstances abhorrent to their feelings, which might make it seem to be an obscure and gloomy imprisonment of the sacred remains of the dead.

In these and in all other instances, common men cannot sufficiently cultivate the sentiments which give life to their own most useful and respectable practices, without suffering themselves to feel some abhorrence for the equally natural, useful, and respectable, though totally dissimilar usages, of other nations.

But a philosopher respects all the venerable forms of humanity, however various and unlike, reveres in them all the attempts to carry affection beyond the grave, an attempt, vain, indeed, for the secondary and paltry objects of animal existence, but which is not vain as part of that grand moral discipline which humanizes the heart of man.

Counsel for the plaintiff, Mr. advocate-general; solicitor, J. Cumberlege, Esq.

For defendant, Mr. Woodhouse and Mr. Macklin.

Solicitor, S. Humphreys, Esq.

Occurrences for September.

Sept. 10.—On Thursday last the rain fell in greater abundance, and continued with unabating violence for a longer time, than has been ever witnessed by the oldest inhabitant in the place. The whole surface of Bombay Green was covered with water to a considerable depth, and the streets were rendered for a time impassable by the depth and rapidity of the currents which ran down them. In the Parell road, the water ran with considerable velocity at the depth of four feet.

In the country, several hundred yards of garden and oart walls were thrown down; and by the united force of the wind and water, upwards of five hundred Cocoanut trees were laid prostrate.

Five persons are supposed to have been drowned.

The rain continued, but with diminished and intermitting violence during the succeeding night and day.

No injury whatever is done to the Batty crops. The prevailing belief amongst

amongst the natives in this Island is, that the growing crops never can receive injury from rain which falls during the first seven Nukshuthurs of the monsoon. The rainy season we understand is supposed to continue during eight portions of time consisting of fifteen days each, called Nukshuthurs; each of which has its appropriate name, and the last is called Elephanta, from the gathering of the clouds observable at that time towards the quarter in the direction of the Island that goes by that name; during which, if the rain fall in any quantity it is injurious to the crops in this part of the country, though those to the Northward are still benefitted by it. The sixth Nukshuthur is now at its conclusion.

On Thursday last, General Champagne and suite landed at this place under a salute due to his rank.

Occurrences for OCTOBER.

Oct. 15th.—As an additional instance of the flourishing state of ship building at this presidency, we have the pleasure to announce, that, on Monday last, the silver nail was driven by the honorable the governor, in the presence of a number of respectable spectators, on the occasion of laying down the keel of a twelve-hundred ton ship, intended for the mercantile service of the honorable company. The name bestowed on this new ship is the Charles Grant, and there is no doubt she will do honor to the ascertained abilities of Jemsetjee, the master builder; who is thus carrying on, in the same dock-yard, the construction of two of the largest description of ships, one for the king, and the other for the company.

SURAT, Oct. 16th.—Lately a Suttee, or ceremony of a Brahmin woman burning herself with the body of her deceased husband, took place at Phooltarah, a village about two miles from Surat, on the banks of the Taptie. I went there very early, and arrived at the spot, long before any preparations were made for the approaching solemnity. At length twelve slight poles were fixed as uprights in the ground, round which a wall of Jewarrie stalks was placed, as was a roof also of the same stalk, forming a shed of six or seven feet square, and about six feet high, with a small door-way facing the river. A platform or bed was then formed of billets of wood—six feet long, and between two and three feet wide, and two feet high. This was the funeral pile. In a short time after, the body of the deceased arrived, preceded by tomtoms, and followed by the Suttee, surrounded by Brahmins, and attended by her son, a youth of about 18 years. The deceased was an old man with grey hairs: the woman appeared about forty, and was very stout. She sat down before the door of the pile, and after performing a few ceremonies, she attended the body of her husband to the river, where she performed various ablutions. The Brahmins all this time, as well as at her first arrival at the pile, prostrating themselves at her feet as to a superior being. At her return

return from the river she sat down near the opening of the pile, and the body of her husband was placed beside her. The body was then uncovered, on which she, with one of the most emphatic expressive smiles I ever saw, bowed her head towards his face, and said, in a mild tone of voice, in the Moorish language, "Ah, my husband!" Her look to me indicated more; as though she would have said—Never mind, my husband, we shall not be long separated. The body of the deceased was then carried into the inclosure and placed lengthway on the funeral pile. She then went through various mysteries and ceremonies, too intricate for me to understand; but among others she poured Ghee several times on the sacred fire which was placed before her, when her son took some of the ashes and put them in her mouth, which she swallowed.—She then drank three separate times of consecrated water. On returning the loote to one of the officiating Brahmins, he found a little left, which he swallowed with uncommon avidity; she then received a few rupees at two different times from her son, and presented them as offerings to the priests.—Three female relations were then allowed to approach her; they threw themselves at her feet, and seemed imploring for something, she touched all their foreheads, and gave each some grass, rice, and flour, and they departed. I must not omit mentioning that blades of grass were invariably used even in the most trifling ceremonies.

She was then decorated with a necklace of camphire, and bracelets of the same—as also a wreath forming a turban, indicative of her throwing off the nature of womanhood, and assuming that of the man; all these mysteries being concluded, she arose and prepared to walk round the pile seven times. The first round two Brahmins laid hold of her to support her; she, in an audible voice, declined their assistance, and said she could walk alone—and indeed the oftener she went round, her step appeared the more firm and determined. This ceremony being completed, she entered the inclosure, and seated herself on the pile in an upright posture, and placed the head of her deceased husband in her lap. Ghee, in large quantities, had been previously poured on her head and garments; pieces of camphire, cow-dung, plantain grass, rice, flour, &c. &c. were then strewed over the body of the dead man. Billets of wood were then placed by the officiating Brahmins in a pyramidical form around her, and a few bundles of very dry brushwood were placed at the top near her head; the sacred fire was then given by one of the Brahmins to her son, who presented it to his mother. The head Brahmin remained in conversation with her for a quarter of an hour, during which period she held the light in her hand; a leaf of the shaster was also carried in, and, as the Brahmin did not bring it out again, I suppose that this was also placed on the pile. The Brahmin then took leave of her, and when he came to the door (as if anxious that an European should be a witness of her setting fire to the pile with her own hands,) he beckoned me to approach, when immediately, I saw her bow her head on that of her husband, and on raising it, set fire to the brush-wood above her. It did not burn as quick as was expected, during which time she

sat

sat as composed as if she had no interest in the affair. The Brahmin close to me seeing this, threw some fire on the pile, and in two seconds the whole was a complete conflagration.—While the bodies were burning, the Brahmins kept dancing round the funeral pile with enthusiasm and apparent satisfaction.

The conduct of the officiating Brahmins was liberal and open to a degree; and so far from opposing my approach, they appeared anxious that I should see the whole minutely, that I might relate that every thing had been conducted without deceit or persuasion. I accordingly took my station by the angle post at the door, where I remained the whole time; the Suttee at not more than three feet distance from me. She appeared so totally absorbed in her prayers, and performing the necessary ceremonies, and in conversation with her son, that she paid not the smallest attention to any thing round her, excepting once, when she waved her hand to me not to advance nearer. During the whole ceremony, which lasted considerably more than an hour (for I was too much interested to look at my watch) she was as firm and collected, and perhaps more so, than most of the bye-standers. I never took my eyes off her the whole time, and dare assert that not the smallest degree of compulsion was used; and that upon the whole, this instance of fortitude and heroism may have been equalled, but never surpassed, and may certainly be accounted as extraordinary a display of the powerful effects of religion upon the human mind, as any upon record in the annals of either ancient or modern nations, and induces us to credit the otherwise almost improbable narratives of antiquity.

Occurrences for NOVEMBER.

Nov. 6th.—About two years past we had the satisfaction to make known to the public, a most munificent instance of the liberality of the mercantile part of the society at Bombay, in their very generous presents to Sir Nathaniel Dance, and his associate captains; who commanded the fleet of East India ships, which so gallantly attacked, and put to flight, admiral Linois, with his squadron of French men of war.

The particularly meritorious conduct of captain Timins, who, on that occasion, commanded the Royal George, East Indiaman, was not, it appears, at the moment, understood by the gentlemen of Bombay; but when the very gallant manner in which he led his ship into action, in consequence of being placed in the van, came to their knowledge, they considered it incumbent on them not only to give it their particular attention, but to explain the cause of their not having, in the first instance, distinguished his particular merit: we have been favored with the following letters on this subject, which we have great pleasure in publishing.---*Bombay Courier.*

To J. Forbes, Esq and P. C. Bruce, Esq. M. P. London.

Bombay, 2d May, 1807.

Gentlemen,---We had lately the pleasure

pleasure of receiving by the Huddart, your favor of the 30th June, 1806, and its enclosures, by which we have the satisfaction to perceive, that the wishes of the commercial meeting of this place, held on the achievement of Sir Nathaniel Dance, and his brave associates, had been carried into effect, except as far as they related to captain Timins, of the Royal George.

The desire which is felt here to leave no part unaccomplished of what was so sincerely and honorably intended; to convey a just and highly-deserved tribute of applause and gratitude from this community, will, we trust, be a sufficient apology for again soliciting your assistance, towards presenting to captain Timins a more adequately-appropriate testimony of the high sense entertained of the very distinguished share which he bore in the action, than the limited knowledge of the transactions of that memorable day, which the meeting of the 31st March, 1804, were then in possession of, enabled them to determine upon.

The information subsequently received of the eminent claim of the commander of the Royal George, whose undaunted and heroic bravery, in leading into battle, and laying his ship alongside of the Marengo, still excites our admiration, would at once have induced an earnest desire of conveying to captain Timins a more conspicuous proof of the sentiments his meritorious conduct inspired; had it not been considered probable, that, under the latitude afforded to you by the resolutions of the meeting, and having before you the official particulars of the engagement, it would have occurred to you, in the appropriation of the sum remitted, to have remedied any deficiency, or omission of this nature in the proceedings here. We now beg leave to request that you will present to captain Timins the sum of one thousand guineas, to be laid out in a vase, or such piece of plate as you may think preferable, with a suitable inscription; and that you will transmit it, with a letter of explanation, to captain Timins, in which we shall be thankful if you will express those feelings of esteem and respect of the body we represent, which we now endeavour to convey to you.

We have the honor to be, Gentlemen, your most obedient, humble servants,

(Signed) A. Adamson,
C. Forbes,
W. Crawfurd.

P. Hadow, Secretary to the Bombay Insurance Society, to captain Timins, late Commander of the Royal George, East Indiaman.

London, Dec. 19th, 1807.

Sir,—We have very lately received from Bombay the letter, of which the inclosed is a copy, and we feel very great gratification and pleasure in being solicited, by so respectable a community, to convey to you their opinion of your very gallant conduct; and also their particular wish to commemorate their sense of the essential share which you had in the victory gained, by the fleet of Indiamen, over a powerful squadron of French men of war, on the 14th of February, 1804.

We beg leave to say, that every sentiment, stated in the letter from our friends at Bombay, is in perfect coincidence with our opinion of your conduct in that very memorable action; and we shall have great satisfaction, whenever it may suit

suit your convenience, to communicate with you relative to the plate, to the value of one thousand guineas, which we are directed to present to you, from the insurance society, the ship owners, the merchants, and underwriters of Bombay, whose interests and property you were a principal means of essentially protecting on that occasion.

We have the honor to remain, with sentiments of the highest personal consideration, Sir, your very faithful, and most obedient humble, servants,

(Signed) JOHN FORBES,
P. C. BRUCE.

To J. Forbes, Esq. and P. C. Bruce, Esq. M. P.

London, Dec 24, 1807.

Gentlemen,—I have had the honor to receive your obliging favour, conveying the copy of a letter, which had been addressed to you, from the merchants and committee of the Bombay insurance society. The very flattering approbation expressed of my conduct, by a body so highly respectable, and the munificence with which it is accompanied, claim my sincere and fervent gratitude. Such distinguished favours are at all times valuable, but never more so, than when they result from the deliberate investigation of an event, that has no longer novelty to recommend it; and the particular merits of which, it might be presumed, would now have ceased to be interesting.

On the occasion alluded to, it was my good fortune to be placed in a prominent situation, wherein I only acted as, I am persuaded, any of my brother commanders would have done, under similar circumstances. It was by the spirited ardor, and united efforts of every individual present, on that day, that the attempts of a powerful enemy were successfully defeated.

Allow me, gentlemen, to offer you my respectful thanks for the handsome manner in which you have honored me with this communication, and to assure you, that the value of it is considerably enhanced by the very gratifying testimony of your good opinion.

I have the honor to be, gentlemen, your most obliged, and obedient, humble servant,

J. F. TIMINS.

Occurrences for DECEMBER.

Dec. 14th.---About 5 o'clock on Saturday evening, a fire broke out in Dungaree, which for some time wore a very formidable aspect, and threatened the destruction of most of the houses in that very populous part of the Island. On the alarm reaching the fort, the 2d battalion of H. M. 56th regiment, under the immediate command of lieutenant-colonel Keating, marched to the place. The houses most likely to communicate the flame were immediately demolished: and the fire got under before it spread to any considerable extent. This happy termination, however, was not effected without some accidents; and the casualties, in the 2nd battalion of the 56th, amounted to one man killed and thirty-four wounded, some of them severely.

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A number of explosions took place during the continuance of the fire, to which most of those accidents are to be attributed; and particularly the loss of the poor fellow just mentioned, who was blown into a tank where he perished.

A detachment of the first battalion of H. M. 56th regiment arrived from Coolabah, notwithstanding the distance, in sufficient time to contribute to the general safety; and a party of the crew of H. M. ship Cornwallis, under the command of captain Montague, was conspicuously useful. Indeed, the personal exertions of colonel Keating, captain Montague, and all the officers who were present, was such as might be expected from the zeal and intrepidity which is so truly characteristic of either service.

The honorable the governor and staff were on the spot from the first notice of the danger, till it had subsided; and the vigilance and activity of Mr. Briscoe, the superintendant of police, prevented much confusion, and contributed as well to protect the property which was saved, as to prevent the extent of the fire.

On the whole we have not heard that there has been any considerable loss of property; nor are there any suspicions entertained of the fire being more than accidental.

Dec. 26th.---The following resolutions were lately come to, at a meeting of the merchants, and underwriters of Bombay, and ordered to be presented, by the chairman, to his excellency sir Edward Pellew, commander-in-chief of his Majesty's ships in the Indian seas.

1.—Resolved, that it appears to this meeting of merchants, ship-owners, and underwriters of Bombay, to be an indispensable act of justice, more especially under existing circumstances, publicly to declare, on the approaching departure of his excellency vice admiral sir Edward Pellew for Europe, the extent of the protection, which the commerce of Bombay has received, since the assumption by his excellency, of the command in chief of his Majesty's ships in the Indian seas.

2.—Resolved, that it appears, from a document framed in the insurance office of Bombay, that the rate of premium from Bombay to China, and from China to Bombay, from the year 1798 to 1805, fluctuated between 12, 10, 9, and 8 per cent. whilst, during the period of sir Edward Pellew's command, from 1805 to 1808 inclusive, it has stood at 8 per cent. with a return of 3 per cent. if sailing with convoy, and at 5 per cent. warranted with convoy; the rate of insurance, has, therefore, been 50 per cent lower on the commerce of the port of Bombay, during sir Edward Pellew's command, than at any former period.

3.—Resolved, that since the arrival of sir Edward Pellew, (a period of only three years) 110 ships have exported and imported to and from China, under convoy during the whole voyage; whilst only 28 have run the passage unprotected, in consequence of their sailing out of the seasons fixed for the regular convoys; at the same time that those which have departed unprotected on the eve of appointed convoys, or have separated in the course of the voyage, have not failed to attract the notice and remonstrance of his Excellency.

4.—Resolved, that the operation of

of the system of convoys has afforded complete security to the trading capital of Bombay, of which the amount insured at this settlement from the 1st of May, 1806, to the 31st of October, 1808, has been five crores and thirty seven lacs of rupees, (5,37,00,000 rs.) or six million seven hundred thousand pounds sterling; (6,700,000l.) that the premium paid by the trade, on that sum, amounts to thirty five lacs sixty one thousand rupees, (35,61,000, rupees) or pounds sterling four hundred and forty five thousand (445,000l.) that the losses, by captures amount to rupees four lacs and ninety-three thousand (4,93,000 rs.) or sixty one thousand pounds sterling, (61,000l.) that the losses, by sea risks, extend to five lacs fifty-two thousand rupees (5,52,000 rs.) or sixty-nine thousand pounds sterling (69,000l.) and that the profits, to the underwriters amount to the sum of twenty-five lacs fifteen thousand rupees (25,15,000 rupees,) or three hundred and fourteen thousand pounds sterling (314,000l.) the losses by captures being under one per cent. on the principal insured, and exceeded by those arising from sea risks; whilst the former have occurred beyond the influence, or have been the consequence of a departure from that regular system of convoy, by which the commerce of the Western division of the Peninsula of India has been so extensively benefitted.

5.—Resolved, that the advantage resulting from protection by convoys, which the trade of this port has thus experienced, has originated in that system which was established, and has prevailed, since the succession to the command of his Majesty's ships in India, by sir Edward Pellew: a system proposed at his express invitation in the letter addressed to his excellency by the three leading firms, in behalf of the merchants of Bombay, on the 12th of February, 1806, and adopted in the reply of his ex ellency's secretary of the following day.

6.—Resolved that, at a time when the enemy has sacrificed his maritime reputation, and every feeling of naval ambition, to a degrading system of privateering, in the prosecution of which national ships of superior force and construction are employed for the purpose of committing depredations on our trade, it is indispensable to the successful prosecution of our commercial interests, essential to our national credit, and justly due to the characters of those, to whom the protection of these valuable, and important trusts, is committed, that a steady adherence to that system should be observed: of the solid advantages of which, the experience of three years has afforded so decided a proof.

7.---Resolved that, independently of the ample protection afforded to the commerce of this port, his excellency sir Edward Pellew has manifested a degree of personal anxiety for the security of its trade, characteristic of that zeal, and vigilance, which have ever distinguished his professional career; that the interference of his excellency led to the advertisements issued at his suggestion, by the insurance society of Bombay, in the year 1806, promotive of encouragement to sail and continue under convoy; and subsequently, to the salutary provisions contained in the proclamations published by the governments of Bengal and Bombay in the year 1807, restric-

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tive of the practice of ships separating from convoy; and moreover that his excellency's solicitude in this respect, has succeeded in establishing a degree of controul over the shipping of this port hitherto unknown in the Indian Seas.

8.---Resolved, that these important facts, as established by the most minute investigation, do eminently entitle his excellency, Sir Edward Pellew, to a more formal declaration of those grateful acknowledgments which he has already received, from a great and decided majority of the merchants, shipowners, and underwriters of Bombay.

9—Resolved, that these resolutions be communicated to his excellency Sir Edward Pellew, with a suitable address, and published in the Bombay Courier.

The thanks of the meeting were then unanimously voted to the chairman for his conduct in the chair.

Charles Forbes,
Chairman.

PRINCE OF WALES'S ISLAND.

Occurrences for April, 1807.

April 4th. Mr. W. C. Clubley, appointed deputy-secretary.

Government Orders.

Fort Cornwallis, April 10. The whole of the troops at the presidency to parade this afternoon, at half past four o'clock, in front of the Government-house, to attend the remains of the honourable Philip Dundas, late governor, &c. &c. &c. of this island, to the place of interment, with all military honours due to his high rank and station.

Lieutenant-colonel Basset to command.

Three rounds of light cartridges per man, to be served to the 20th regiment, which corps only is to fire over the grave, on account of the narrowness of the ground.

Forty-five minute guns, corresponding with the years of age of the deceased, to be held in readiness to be fired during the funeral procession, and to commence by signal from the Government-house.

The Bengal artillery to furnish the carrying party.

The garrison colours to be hoisted half mast at sun-rise, and continue until sun-set.

John Drummond,
Town-Major.

April 13. A salute of 19 guns to be fired, on H. S. Pearson, Esq. taking his seat as governor of this island.

Also a salute of 11 guns on W. E. Phillips, Esq. taking his seat as a member of council.

By order of the honourable the governor and council.

Thomas Raffles,
Secretary to government.

(A true copy) J. Drummond,
Town-Major.

Duties at Prince of Wales's Island.

Import. Article 1. Five per cent. on the invoice price of all Europe goods, imported on British ships and vessels, not having previously paid government duties at any other British port in India.

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2. Eight per cent. on the invoice price of all Europe goods, imported on all foreign ships and vessels, with the exception of the Americans, who are to pay as British.

4. Three per cent. on the invoice price of all China goods, imported on British ships and vessels, at Malacca; and, as an inducement for the Portugueze, Macoa ships and vessels, to resort to the port, as necessary to the accommodation of the Chinese inhabitants, Portugueze ships and vessels from Macoa, are to pay as British, all other European foreigners, not herein excepted, are to pay double these duties.

4. The farming the duties on salt, tobacco, oil, ghee, hog's lard, and squared timber, is discontinued, and the following duties on import will be collected at the Custom-house in lieu thereof, from and after the first of May, 1807: on salt, five dollars per coyan; on oil, ghee, hog's lard, and tobacco, five per cent. *ad valorem*, notwithstanding these articles may have previously paid export duties in the British settlements to the westward of the mouths of the river Arracan; and these articles are to pay the same duties though brought from countries to the eastward of the mouths of that river; European foreigners to pay double these duties in both cases.

5. Four per cent on the invoice price of all other goods and merchandize imported on all British ships and vessels from countries to the westward of the mouth of the river Arracan, not having previously paid export duties at any British settlement, and all foreigners (with the exception of the Americans) are to pay double this duty; opium, grain, money, bullion, gold dust, and precious stones, to be imported duty free.

6. Goods and merchandize imported on British or American ships and vessels, from the Dutch and Spanish possessions, to the eastward of the river Arracan, to pay a duty of four per cent. on the invoice; foreign ships and vessels to pay double.

EXPORTS. 7. Two and a half per cent. *ad valorem*, on the prices, as monthly settled by a committee appointed to compile a price current for that purpose, to be collected on all goods and merchandize, of whatever description, exported from Prince of Wales's Island, from and after the first of May, 1807.

N. B. Gold bullion, gold dust, and precious stones, to be exported duty free.

8. Opium, cotton, transhipped in the harbour of Port Cornwallis, or cotton landed and re-shipped on account of the original importer, to pay one half only of the export duty or $1\frac{1}{4}$ per cent. on the gross invoice.

9. All other goods and merchandize transhipped without changing owners, shall in no case be liable to more than two per cent. on the gross invoice.

10. All goods and merchandize changing owners and transhipped within the harbour, are to pay duties as if actually landed and sold on shore.

N. B. These three last articles are applicable to all prizes and re-captures.

Occurrences for JUNE.

June 6th. On Thursday night last, the rooms of Messrs. Capes and Carroll were broken open and robbed of property to the amount of about 1500 dollars; every possible search has been made by the police to apprehend the robbers, but without effect.

June 13. Captain Watson, who has lately arrived at the island, states, that Mr. Gibson, (late of Bencoolen) the supracargo, sold his opium, and other articles, to the China Shawbunder, with whom he had similar transactions on a former voyage, on a credit of 50 days, that opium and piece goods, to the value of about 35,000 dollars were landed, that the vessel was hauled close in shore between two reefs, and moored head and stern; that a few days previous to the payment becoming due, a man went on board the brig to offer to supply them with stock, and required an advance of two dollars. Mr. Gibson desired he would go on shore, and that he would shortly follow him, as it was near the time he usually drank tea with the Chinaman. That as soon as Mr. Gibson landed, and had walked a few paces, he was attacked by two Malays, from whom he received two wounds, on which he fell, and the Malays immediately made off. Mr Gibson, with the little strength he had remaining, reached the Chinaman's compound; he there received nine more wounds, and was then dragged to the beach and left there. The body was afterwards obtained by the intercession of a Bugese Nacodah, whose boat was laying near the Emily.

A Chinaman, whom Mr. Gibson had taken out of Bencoolen prison, where he was confined for debt, and was with him on the former voyage, immediately after the accident, came down and told the boat's crew, who were then pulling off, that he was innocent of the crime, but refused to go on board.

On the following morning, captain Watson observing that the Malays had armed themselves, and were collecting near the vessel, as if they intended an attack, thought it most prudent to put to sea.

Occurrences for OCTOBER.

Oct. 17. Yesterday, the hon. Colonel Norman Macalister, in conformity with the orders of the right hon. the governor general in council, took the usual oaths and his seat as governor of this presidency.

A salute of 19 guns was fired on the occasion.

Henry Shepherd Pearson, Esq. also took the oaths and his seat, as second member of council.

A Chinese passenger, lately arrived from Borneo, reports that the head merchants of the different rajahs of Sambas, Mompaiva, and Pontinova, are now, and have been for some time past, in the habit of filing down brass and silver, for the purpose of mixing with the gold dust,

dust, which they usually barter for articles purchased from European traders. The silver is coloured by boiling it in a certain preparation. This accounts for the great loss which has been experienced in gold dust sent from the island.

Appointments. Captain M'Innes, to be private secretary to the governor, with the established salary of 120 Spanish dollars per month.

Lieut. Robert Campbell, to act as aide-de camp to the hon. the governor.

Mr. Robert Ibbetson, to be assistant in the collector's office.

Mr. Quintin Dick Thompson, to be paymaster, and commissary of provisions and petty stores.

Mr. John Macalister, to be assistant collector of customs and land revenues at Malacca.

Mr. William Bennet, to be assistant to the warehouse-keeper

The office of deputy warehouse-keeper, is to be abolished from the first of the ensuing month.

Henry Shepherd Pearson, Esq. to be warehouse-keeper and paymaster.

Mr. J. C. Lawrence, to be acting Malay translator to government.

Occurrences for DECEMBER.

Dec. 12. On Wednesday the hon. company's ketch, Margaret, Captain Strant, arrived from Rangoon.—Passenger, Captain Henry King.

The accounts received by this vessel from Pegue, are of a very unpleasant nature; not less than three vessels more have been added to the list of captures recently made in the bay.

A French brig privateer, Le Bon Aventure, commanded by Mons. David, who formerly resided at Rangoon, captured the brig Fancy, Captain Bennet, on the 13th ult. off the bar. Mons. David immediately fitted out the Fancy as a privateer, and destroyed his own vessel.

On the 15th, he fell in with and captured the brig Martha, Capt. King, from this port; and on the 19th, also captured the Strathspey, Capt. Grant, but as this ship proved very leaky, he took out the whole of her cargo, consisting of piece goods, &c. and returned her to capt. Grant.

Occurrences for JANUARY.

Jan. 2.—On Tuesday last, the Nancy Grab, captain Earl, anchored in the harbour from China, whence she sailed the 13th ultimo.

Accounts received by the Nancy, state the melancholy loss of the ship Albion, captain James Robertson, at Whampoa, by fire, on the 5th ultimo.

The following particulars respecting this occurrence have been communicated by an eye witness:

On the 3d ultimo, the Albion dropped below the shipping at Whampoa, for the purpose of taking

ing on board a quantity of treasure, on account of her owners and the honourable company, that belonging to the honourable company to be conveyed by her to his Majesty's ship Modeste, the honourable captain Elliot, then laying at Chunpee, under whose convoy the Albion was to proceed as far as Malacca.

On the morning of the 4th, the treasure left Canton, and captain Robertson shortly after proceeded down the river, with a quantity of money belonging to the owners, but did not reach the ship until about half past six in the evening: going over the gangway, captain Robertson observed to the officer, who, at this time, was employed in receiving the honourable company's treasure, and had then upwards of one and a half million of dollars on board, that there was a strong smell of fire; went below to discern, if possible, from whence it proceeded, and observing the people at work in the main hatchway, inquired whether or not they perceived any smell of fire, to which they replied in the negative. Captain R. then went to the fore hatchway, uncovered it, and removed the hatches, when the flames burst forth with great fury so high as the main stay. He ordered the hatches to be put on again, and used every endeavour to smother the flames, but without effect. By this time the flood had made, and the Albion being not more than a quarter of a mile below the shipping, a consultation was held as to the best mode of preventing any detriment to them, when sail was immediately made, the cables cut, and he succeeded in running on shore; she was then scuttled, and every exertion made for the safety of her valuable cargo. At 3 A. M. of the fifth, the ebb tide having made, she went on her broad-side; the decks by this time were so much heated as to oblige the people to quit her. During the whole of the night, the engines kept playing on her, and at day light, the people proceeded again on board, and cut away her lower masts, &c. but, at nine, were obliged again to quit her, from the excessive heat which prevailed. Immediately on quitting her, she blew up abaft, owing to a great quantity of Chinese fireworks being stowed in the after-hold, (the powder had been removed on the first alarm of fire being given) the flames now raged with the greatest fury, exhibited a most awful scene, until near four in the afternoon, when she was completely burnt to the water's edge.

It was at one time conjectured that not more than one-half of the company's treasure would be saved, but such was the extraordinary activity of every one on board, assisted by the captains, officers, and crews, of the H. C.'s ships, that the loss, on the third day after the fire commenced, was only about 10,000 dollars, and most of that, it was supposed, would be retrieved.

Such was the fury of the flames, that the treasure between decks was run into masses of from two to ten thousand dollars weight.

There was not any private treasure on board, but the cargo of the Albion was valued at three lacs of Spanish dollars.

Happily not any lives were lost on this melancholy occasion.

On Sunday last a fire broke out, about seven o'clock in the evening, near

near the reservoir, which entirely consumed several sheds erected for the workmen; fortunately the wind was from the northward: had it blown from the eastward, those noble premises belonging to Mr. P. Chiene, would have been in danger.

Occurrences for APRIL.

April 2.—The fire which broke out on Saturday last, at the bake-house of Low Ammee, unfortunately consumed more European property than we recollect to have seen destroyed by fire since the first establishment of this settlement. It was occasioned, as we understand, by the carelessness of some of the people employed in heating the ovens; and from the dryness of the materials of which the premises were composed, in a short time the whole was in flames, which almost immediately communicated to the premises occupied by Mr. Rodyk, the police office, and some Chinese shops at the corner of the street. The whole at one time exhibited the most awful spectacle ever witnessed on this island.

Fortunately the wind was light and southerly; or those valuable and extensive premises belonging to Mr. Douglas must inevitably have been destroyed, and, probably, communicating with the agent victualler's stores, endangered the whole town; there being, as we learn, near three hundred casks of spirits on the premises.

Too much praise cannot be given to the men from his Majesty's ship Bombay, and the soldiers belonging to the garrison, for their exertions in stopping the progress of the fire.

The damages sustained by the above accident, are estimated at 20,000 Spanish dollars. Fortunately no lives were lost.

Another fire broke out on Sunday morning, near the gaol, which consumed the greater part of two blacksmith's shops, without doing any further damage. [*Penang Gazette.*

Occurrences for MAY.

May 14.—On Saturday last, the brig Minerva, captain J. Maxwell, anchored in the harbour from Madras, last from the Nicobars:—passengers, Mr. D. Murray, Mr. G. Walker, and Mr. John Salmon.

The brig Minerva, sailed from Madras on the 7th February, and experienced nothing but light variable winds, chiefly from the northward and eastward, until the 9th of March, when the wind began to blow strong from the eastward, with a heavy swell and cloudy weather. On the 18th March, a consultation was held on board by the captain and passengers, whether it would not be better to proceed to the Nicobars for water, that article being nearly expended. On Sunday the 20th,

20th, at six P. M. spoke the Cadar Bux, which left the Nicobars at sunset, on the preceding evening; and from her run under easy sail the whole of the night, could not have been more than thirty-six miles distant; yet, from the strong currents, and the wind hanging so much to the eastward, the Minerva did not make the Nicobar islands until the 11th of April, during which time, the whole of the crew and passengers subsisted on biscuit, burnt arrack, and a small tin-pot of water for every three persons; happily only one life was lost.

The Minerva left the Nicobars on the 21st ultimo, having filled up her water, and taken on board such provisions as could be procured.

May 31.—On Saturday the 28th instant, arrived, in this harbour, his Majesty's ship Phæton, having on board the honourable Sir Edmund Stanley, knight, recorder of Prince of Wales's Island, with his Majesty's letters patent establishing a Court of Judicature for the island and its dependencies. Sir Edmund Stanley landed under appropriate salutes from his Majesty's ship Phæton and the garrison. On the 30th, a proclamation was issued, summoning all the European and native inhabitants to attend the next day at the Government-house, to hear the patent read, and to witness the establishment of the court, in manner and form as directed. On the 31st, the inhabitants having assembled, the proper oaths were in their presence administered by Sir Edmund Stanley to the governor, and in turn by the governor to Sir Edmund, and the other justices of the court. His Majesty's letters patent, and charter were then recited, and the court opened and established by proclamation. The governor, recorder, and council, took their seats on the bench. James Carnegy, Esq. was appointed the first sheriff. Sir Edmund Stanley, in an eloquent speech, explained his Majesty's beneficent and paternal intentions in providing for the due and impartial administration of justice, and the laws of England,---civil, criminal, and ecclesiastical, in the rising colony of Prince of Wales's Island, without any distinction between European and native; and expressed his determination to carry into effect his Majesty's benevolent views, by combining the strictest regard for the religious and political peculiarities and customs of the natives, with a strict and vigorous protection of the persons, properties, and rights of all. Sir Edmund signified his determination speedily to hold a Session of Oyer and Terminer, and general gaol delivery, and with that view to issue a precept to the sheriff, to summon a grand jury. Sir Edmund having concluded, the governor, in a short, but animated reply, acknowledged his Majesty's paternal goodness in the establishment of so well constituted a Court of Judicature in Prince of Wales's Island. The following is an extract from the governor's speech:---

"The anxiety of his Majesty that the court should have every assistance, which legal abilities can render it, is fully manifested by the appointment of a gentleman so eminently qualified for the execution of the arduous office of recorder---A gentleman whom we know to have long filled high legal and judicial offices under his Majesty in Ireland, with distinguished

guished honour to himself, and advantage to his country; and it is peculiarly gratifying to the members of this government, that by the gracious provisions of his Majesty's royal charter, they have the honour to be united with such eminent abilities and personal merits."

Occurrences for June.

Court of Judicature of Prince of Wales's Island, June 27, 1808.

Douglas Murray, Plaintiff,
Joseph Burn, Defendant.

On Tuesday the 2d June last, a cause of much expectation, came on to be tried before the honourable Sir Edmund Stanley, recorder of this island; and after a full investigation of the merits and many witnesses examined on both sides, the recorder pronounced the judgment of the court, on Monday the 27th June.

It was an action of trover and conversion, brought by the plaintiff, a merchant of Madras, against the defendant, late master of the ship General Wellesley, but now resident at Prince of Wales's Island, to recover damages against him, for detaining and converting to his use, a cargo of goods consisting of twenty-one bales of cloth, the plaintiff's property at Sooloo, on the 18th of May, 1806. The plaintiff laid his damage for the loss of his goods and the market of Sooloo, at ten thousand and eighty-two Spanish dollars---and the defendant having been arrested upon a writ, and held to special bail, appeared and pleaded, *not guilty*; and issue having been joined, the material facts, as they were collected from the *parole* and written evidence, were shortly these.

In the month of March, 1806, the ship General Wellesley, of which the defendant and captain David Dalrymple were part owners, was fitted out at Madras for a trading Malay voyage; a considerable cargo of cloth, and other articles destined for the market of Sooloo and other Eastern markets, were shipped on board that ship, on account of the owners, by Messrs. Parry and Lane, of Madras, who had a mortgage on the ship and cargo; that the defendant, Joseph Burn, then acted as master and commander, and in that character gave an order that the plaintiff's goods, which were destined for the Sooloo market, should be received on board, and carried without freight; in consequence of which, plaintiff on the 7th March, 1806, shipped on board the General Wellesley, the cargo in question, consisting of twenty-one bales of cloth, his property, value as per invoice at Madras, 2825 star pagodas---that the ship sailed from Madras for Sooloo in March 1806---plaintiff being a passenger on board; that she arrived in Sooloo roads, on the 18th of May, 1806, upon which the plaintiff demanded his goods from the defendant, offering to pay the freight for them, but the defendant refused to deliver them, alleging, that by the usage of the Malay trade, no part of the cargo of passengers or other persons could be disposed

disposed of at any Malay port or market, until the cargo of the owners was first sold; that upon this refusal, the plaintiff quitted the ship, leaving his goods in it, and embarked on board another ship; ---that the General Wellesley sailed in two months after from Sooloo to Pointiana, with a part of the cargo of the owners unsold;---that she arrived at Pointiana in September, where the defendant was left to dispose of his cargo, that the ship returned to Prince of Wales' island, in October, 1806, under the sole command of captain Dalrymple, (who sometimes acted as joint master) who landed the plaintiff's goods, and lodged them in the stores of Mr. George Seton, for the use of and to be delivered to defendant Burn on his arrival; and that upon defendant's arrival in August, 1807, Mr. Seton offered to deliver them to him, but defendant, by letter 25th August, 1807, directed Mr. Seton, to dispose of the cargo of goods (plaintiff's property) to the use of, or to the order of captain Dalrymple, from whom he received them: that accordingly, in March, 1808, capt. Dalrymple sold the plaintiff's goods to Messrs. Carroll and Scott, auctioneers at Prince of Wales' island, for 4,970 Spanish dollars, which they paid to captain Dalrymple, who applied the money and proceeds of the goods in fitting out the ship for another voyage to the South seas, on which voyage she has proceeded;—that the cargo was re-sold by Messrs. Carroll and Scott in a few days after for 5,474 Spanish dollars; and that those sales were without the knowledge or consent of the plaintiff.

Upon those facts, sir Edmund Stanley delivered his judgment as follows: two general questions were made for the opinion of the court.

1st.—Whether upon the evidence, the defendant is, in point of fact, or in point of law, at all liable to the plaintiff's action.

2d.— If he is, what the extent or measure of the damages ought to be.

Defendant insisted that he was not at all liable upon three grounds.

1st.—That he never had possession of the plaintiff's goods, not having signed a *bill of lading* for them.

2d.—That by the *usage* of the Malay trade, he had a right to detain them at Sooloo, and the other Eastern markets, until the owner's cargo was sold.

3d.—That the sale and conversion, or in other words, the tort and wrong, was committed by captain David Dalrymple, and that he only was liable to the plaintiff's action.

This defence necessarily involves three considerations.

1st.—How far the defendant has (in point of law) *by his own acts*, rendered himself responsible in this action, which makes it necessary for the court to advert to the principles of the action of trover, and the ingredients necessary to support such an action.

2d.—How far the defendant is, in point of law, responsible *for the acts of captain David Dalrymple*, which involves the consideration of the question, how far one partner, or part owner, or joint master of a ship, is liable for a *tort*, committed by another, in actions brought by third persons for the conversion of their goods.

3d.—How far a bailee of goods, or a *gratuitous depository of such goods*, who has undertaken to carry them without reward, is answerable

able for the loss or embezzlement of those goods.

Sir Edmund Stanley said, that he was most clearly and decidedly of opinion, that the defendant is liable to the plaintiff's action, upon each and every of those grounds.

1st.—That his own acts, independent of Dalrymple's, amount to an actual conversion.

2d.---That he is responsible for the acts of Dalrymple, and that upon principles and authority an action of trover will lie, by a stranger, against one partner, or part owner, or joint master of a ship for a *tort*, or wrong, committed by another in the usual course of their business or dealing; that they, and each of them, are answerable *civilly*, that is, in civil damages, though not *criminally*, for the acts of the other; that the possession of one of the goods of a third person (intrusted to them or their servants) is the possession of both; the unlawful conversion of one is the conversion of both; so as to render both, or either, liable to the actions of third persons for such injurious acts; that they need not both be joined in the action, at least that it could only be pleaded in abatement, and that it is a matter of contribution and adjustment among themselves, how far one of them is to be reimbursed who is mulct in damages for a *tort* committed by another.

3d. --- That there is sufficient evidence in this case of gross negligence, and indeed fraud in the defendant, to subject him in the present, or at least in an action of a different form, for the loss of the goods, supposing that neither the acts of the defendant, nor of Dalrymple, amounted strictly to a conversion of them.

In order to support the action of trover, three things are necessary to be proved.

1st.---Property in the plaintiff.

2d.---Possession in the defendant, and a *tortious* conversion by him, of the plaintiff's property to his own use, or to the use of any other.

3d.---The value and amount of the damages.

The ground of the action is the conversion, which may be proved in three ways. 1st. *By an original unlawful taking* of goods--- 2d. if the goods came to the hands of defendant by delivery, *an actual demand and refusal* ought to be proved, and such refusal is a sufficient evidence of a conversion, unless the defendant could justify the detainer under some lawful process, or for some lien he had on the goods; as a mortgagee or pawnee of goods for the money lent, a common carrier for his hire, an innkeeper for the keeping of an horse, or in consequence of some other legal lien, without the payment or tender of which, an action of trover cannot be maintained.

3d.---By proving *an actual conversion* in defendant by sale or otherwise; as where there is an original wrongful taking of goods, no other proof of conversion is necessary; so where actual conversion is established, neither an actual taking, nor a demand and refusal, are necessary to be proved; now if a *tortious* conversion is established in any of those ways, it matters not to the plaintiff what becomes of the goods afterwards, if they were unlawfully taken from the defendant by another, or if the defendant had been robbed of them by Dalrymple, or any other, he indeed might have his remedy over against such wrong-doer by action or

or prosecution, but it never could discharge him from his original responsibility; nay, so sacred a regard has the law of England for the security of private property, that it will not suffer any person to intermeddle with that of another with impunity---If a man takes, or uses, or detains any goods, without my consent, and afterwards delivers them to me, an action of trover and conversion will lie; the plaintiff may recover damages for the *detention*, and the re-delivery of the goods will only go in mitigation of damages:--- so it has been determined, that if a man takes the horse of another without his consent and rides him, and leaves him at an inn, that is a conversion:---so if one man who is intrusted with the goods of another, puts them into the hands of a third person, without, or contrary to orders, that has been held a conversion, and in the case of Seyde and Hay, 4th, Durnford and East's reports 260--- trover was brought by the owner for certain goods against the captain of a vessel in which they had been shipped, and the only question was, whether there was evidence of a conversion to maintain the action, the goods having been left by the defendant in the hands of a wharfinger for the plaintiff's use, who detained them for a charge of wharfage fees, upon the ground of *a usage*, which appeared to be an unfounded one, and the court of King's-bench were unanimously of opinion, that (though the plaintiff might have had his goods at any time, by sending for them, and paying the wharfage) this was a conversion by the captain: so a conversion by a servant or a partner, provided they act in the usual course of their business, would be a conversion by the master or other partner, as was the case of the jeweller, whose apprentice took a diamond out of the socket offered in the shop for sale, this was held a conversion in the master; so was the case of a party who left a box of plate at his bankers, in whose house there were several partners, and one of them broke open the box and pawned the plate, the other partners were held liable in trover, and *civilly* answerable in damages, though each would have been only *criminally* answerable for his own acts.---Now to apply these principles to the present case.

As *to the property* in the plaintiff *and possession* in the defendant, it has been proved that the cargo of 21 bales of cloth, with the initials of plaintiff's name D. M. were delivered on board the General Wellesley, of which defendant was master and joint owner, at Madras. Delivery to a servant, whose usual business it is to receive goods is a delivery to the master, (and though no bill of lading was signed, which might make the proof more easy, and is a convenient commercial document for the consignment of goods) yet it does not follow that a party may not prove the delivery of his goods in any other way.--- As to the conversion by the defendant, *the demand and refusal* is evidence of that, but defendant attempts to justify the detainer under a usage in the Malay trade, that the goods of passengers or others should not be disposed of at any of the Malay ports, until the sales of the owner's cargoes are first completed: now without wishing to dispute the reasonableness of such a *usage*, it may be sufficient to say, that if the plaintiff had, in breach of such usage or agreement, injured the market by underselling (or in any way prejudiced

prejudiced the sales of) the owner's cargo, they might, perhaps have maintained an action of the case against him, but neither the evidence proves, nor could the usage extend in point of law, to authorize the owners or masters to seize or detain the cargoes of passengers or other persons for an indefinite period of time, until they were either able, or willing to dispose of their own cargoes. Such a usage (if it had been proved) would be unreasonable and illegal, and therefore he was clearly of opinion, that the detention of the plaintiff's goods at Sooloo was unjustifiable, and that the defendant's refusal to deliver them is a sufficient evidence of a conversion in him to render him liable in this action; it was not incumbent on the plaintiff to look after his goods further.

But, he said, he would suppose, for argument sake, that the defendant's refusal to deliver the plaintiff's goods at Sooloo was justifiable, and that he was warranted in detaining them there, and at all the other eastern markets, until the sales of the owners cargoes were compleated—yet the defendant's subsequent conduct, and the subsequent acts of himself and Dalrymple, in October, 1806, August, 1807, and March, 1808, at this island, render the defendant clearly liable in this action. The plaintiff's goods are carried without his consent in the General Wellesley, by captain Dalrymple, from Pontiana to Prince of Wales's Island, in October, 1806, and lodged by him in the stores of Mr. Seton, for the use of the defendant Burn; in several months after they are offered to defendant, who, by letter, refuses to receive them, *and desires Mr. Seton to account for them to the order of captain Dalrymple:* those acts, and this letter, I consider to be an actual conversion of the plaintiff's goods by the defendant, and indeed, in both of them, they were both *torts,* and in torts, the assentor as well as the actor are principals; and the subsequent sales and receipt of the proceeds by Dalrymple, are, in truth, a conversion by the defendant—there is also another ground upon which the defendant would be responsible, supposing no act of conversion proved against him, and that is *gross negligence,* by which the plaintiff has lost his goods, the proceeds of which are now embarked by Dalrymple, without plaintiff's consent, in a speculation to the South Seas. Defendant having undertaken to carry them through *without a reward,* the law imposed upon him a responsibility and charge: a common carrier on the land or on the seas for *hire,* is answerable for all accidents and losses which may happen to the goods, except from the act of God, or the king's enemies—they are in fact *insurers;* even robbery, or piracy, would not excuse them; and the law is so strict to prevent collusion and fraud, that the master may not contrive to be robbed on purpose and share the spoils.—Proprietors of waggons, and owners and masters of ships, are common carriers within this description, and the 7th Geo. II. Chap. 15th and the 26th of Geo. III. Chap 86, which exempts owners of ships from liability in cases of embezzlement, robbery, or dishonesty of the master or mariners, or others, beyond the amount of the value of the ship and freight, and exempts them from losses occasioned by fire, or by robbery of gold, money or jewels, without a specification in writing of them, proves their general liability in all other

other cases: indeed when goods are taken on board of ship to carry *without freight or reward* (which is this case) it is called a naked bailment, the owners or master are only liable for any gross neglect by which the goods are lost or embezzled, and they are bound only to take the same care of them that they would of their own goods.—Now defendant's own conduct with respect to plaintiff's goods, which were put on board his ship and in his care at Madras, in March 1806, in having suffered them to be brought in his ship from Sooloo to Prince of Wales's Island, without plaintiff's consent; and his afterwards having, when he found them here in August 1807, in Mr. Seton's stores, refused to receive them, and preserve them for the plaintiff's use, as it was his duty to do, were sufficient acts of negligence and breach of trust on his part, to render him liable for the loss of the goods, even supposing no other acts done by him; indeed, there was so many grounds upon which the defendant was liable, that he was only at a loss to know which was the strongest to rest upon.—The variety of defences which the defendant has made, and the different characters he wishes to assume, would place the plaintiff in rather a whimsical predicament, and furnished an instance of eastern ingenuity, such as he had not met with—Says the defendant I am not liable to your action, because, though I took or detained your goods, I did not sell them; neither am I responsible, says captain Dalrymple, because though I sold your goods, I did not take them—and with more colour of justice, Messrs. Carrol and Scott would say, we are not subject to your claim, because we bought your goods in market overt, and neither took nor sold them—so the upshot of the argument is, that the plaintiff has redress against nobody, which is repugnant to the principles of the British law, which says, there can exist no right or wrong for which the law will not furnish an adequate remedy.

It would be a discredit to the justice of the court and of this island, if the sort of games, which have been attempted to be played in this case, could be practised with success, or if the arm of the court was not long enough to reach frauds of this sort.—He would not turn the plaintiff round to go to look after captain Dalrymple in the South Seas, but would fix the defendant with the damages which the plaintiff has sustained, and leave him to seek redress against Dalrymple, or others, as well as he could. He had also gone more at large into the law, than he would have thought it necessary to do, if it had not been the first case of consequence which had been brought before the court, since its establishment; and he wished (as far as his humble talents would allow him) that the British law should be fully explained and well understood by the inhabitants of this island, whenever cases occurred which required an explanation of it; because he was sure the more it was examined and understood, the more its wisdom and equity would be admired and revered, and the more they would have reason to feel a deep sense of gratitude to his Majesty for the gracious charter of justice which he had been pleased to grant, and which has rescued this Island from the state of confusion in which it had so long been involved; and the removal of which, he trusted, would raise its credit and respectability in all the ports of the civilized and commercial world.

With respect to the damages, the plaintiff

plaintiff has certainly failed to prove that part of his case which relates to the injuries he alleged to have sustained *by the loss of the market of Sooloo*, and negative evidence has been given by the defendant, that the whole of that voyage turned out a bad speculation, as a considerable quantity of the owner's cargo was brought back unsold, owing to the markets that year being overstocked :---nor has plaintiff given evidence of any other special damages.---But he was of opinion, the plaintiff in this case had a right to recover, not merely the amount of the proceeds of the sale to Messrs. Carroll and Scott, but the full value of his goods, and in estimating that value he should adopt the principle which was laid down by Lord Chief Justice Pratt, in the case of *Amerie v. Delamire*, in Strange's Reports, in the case of the jewel which was detained from the possessor of it, and which, as it was not produced by the defendant, he directed the jury to presume was of the very highest value of any jewel that would fit the socket. The only standard he had to go by was the amount of the re-sale of the plaintiff's goods by Carroll and Scott, and therefore a verdict must be entered for the plaintiff for 5474 Spanish dollars with costs, and he should not allow the defendant any freight for the carriage of the goods, not only because it was agreed that none should be paid, but because, in his opinion, the defendant had, by the misapplication and the embezzlement of them, forfeited any claim he could have had upon that ground."

Occurrences for SEPTEMBER.

The ship Swallow, captain S. Stewart, from Pedier, with beetle-nut, arrived on Tuesday last. The Swallow had run, from the north end of this island, to Diamond Point, in eleven hours.

On Tuesday last, the ship Ganges, mentioned in our last, as having been captured by the Courier French privateer, was brought into this harbour, prize to H. M. ship Ceylon :---The Ganges was taken by the boats of the Ceylon, after a chase of three days.

A privateer, supposed to be the Courier, lately fell in with the brig Amelia, commanded by a Nacodah, off Acheen: but finding she had only rice and paddy on board did not detain her :---the Amelia arrived yesterday.

The brig Farewell, Mr. Robert Sharpe, prizemaster, arrived likewise, on Tuesday.

The Farewell was taken by the Farquhar, Captain Frazer Sinclair, on the coast of Java, whence she was dispatched on the 9th ult.

The Farquhar is said to have taken, during her present cruize, eight prizes, four of which had been sent off, with orders to remain at this island, until the arrival of that vessel.

The brig Duchess of York, Capt. Forrest, having sold her cargo of sandal-wood at this place, sailed for Bengal direct on Saturday.

Sept. 10. The price of pearls has of late considerably decreased, owing to the great supply lately imported; those, however, of about the size of a marrow-fat pea, are much in demand, and have been very eagerly looked for.

Court

Court of Judicature.

On Monday last, the 5th instant, the First Session of Oyer and Terminer, and General Gaol Delivery, for this Island, and its dependencies, was opened at the Court House, in George Town, before the honourable Sir Edmund Stanley, knight recorder, and his associates, the members of Government;---when the precepts having been returned by the high sheriff, the following gentlemen were sworn on the grand jury; viz.

J. P. Hodson, Esq. Foreman.	D. Brown,
	J. A. S. Williams,
Q. D. Thompson,	Thomas M'Gee,
George Seton,	Patrick Carnegy,
T. Halyburton,	John Baird,
D. Forbes,	J. Dunbar,
D. M'Culloch,	Patrick Chiene,
J. Scott,	N. Bacon, Esqrs.

Sir Edmund Stanley then delivered his charge to the grand jury, to the following effect:

Gentlemen of the Grand Jury.

If ancient usage and the long established form of judical practice, have sanctioned the propriety and wisdom of judges addressing the grand juries by a charge upon the various articles of their enquiry, the exercise of such a duty is more particularly called for, and rendered more indispensably necessary, upon the opening of this session of Oyer and Terminer and General Gaol Delivery—when we are now, for the first time, assembled, under his Majesty's gracious charter, in order to carry into execution, and reduce into practice, the noblest as well as the most effectual system of criminal jurisprudence that ever yet was devised by the wisdom of man, for securing to the public the blessings and advantages of civil society, for the punishment of the guilty and dissolute, and the protection of the innocent and industrious part of the community. More imperiously do I feel that duty demanded of me, by the calendar which I hold in my hand; which, I am sorry to say, exhibits the most distressing and melancholy picture of human delinquency and moral depravity, that, I believe, ever yet was presented to any judge, or produced in any court; a calendar, stained with blood, and marked with murder in every line of it, and which, in truth, comprizes within itself, almost every crime that can be committed against public order, or against the persons, habitations, and properties, of his Majesty's subjects. I do declare, that it has often fallen to my lot to be placed in situations that were thought by myself, and by others, to be arduous and difficult, but it has, at length, been reserved to me to preside in one which calls more loud than any other that I ever yet experienced, for the employment of all the powers of the human mind, and the exertion of all the intellectual faculties of the human soul, destitute of all legal assistance as I am. To reform this disordered and distracted state of society, to vindicate the insulted authority of the laws, to stop that system of murder, rapine, and depredation, which is now carried on with as much facility, and with as little interruption, as if it were a part of the daily traffic of the island; and which, if not checked by some wise and salutary measures, (not of cruel or sanguinary extirpation) but by a due, temperate, and vigorous execution of the law; by an active, lively, energetic. and vigilant system of police, calculated to prevent and obstruct the progress of crimes; by establishing a well-ordered nightly watch and ward, under the statute of Winchester, to guard the habitations and properties of the peaceable inhabitants; by providing proper places

for

for the real correction and punishment, as well as for the reformation, of offenders; and lastly, by a general and cordial co-operation of all orders and degrees of the state, to improve the morals, and amend the vices of the lower classes of the people, whom it is our lot to govern; and who, I lament to say, are, from a combination of causes, inherent in the original formation of the settlement, and almost inseparable from the nature of its mixed population, and the singular state in which this government has been placed for the last twenty years, vicious and depraved in the extreme. I say, if a stop is not put to this career of iniquity, and if the evils which now afflict society are not checked, by some or all of those measures, they seem to me to threaten the dissolution of all the bonds of social order, and the annihilation of every thing that is most valuable and most sacred in a state.

You, gentlemen, in your collective capacity, form a most important branch of that wise system—the grand inquest of the island;—an institution upon which the British nation have always most valued themselves; the antiquity of which may be traced to the earliest ages of the Saxon monarchy,---and the practical excellence of which as the best instrument to bring the guilty to condign punishment, as well as to shield the innocent from unjust accusation, has been proved by such long experience, and is so universally felt and acknowledged, not only in England, but in those Insular provinces in the West Indies, and in all the distant settlements of the world, which have the happiness to be governed by British laws, that no time, no change of government, or revolution, no presumed inconvenience or trouble, that might be occasioned to individuals, could ever prevail to extinguish or abolish it. I am happy, therefore, to observe, that the high sheriff has, upon this occasion, returned gentlemen who, from their local knowledge and long residence, seem the most competent to exercise this important function; who will never be prevailed upon, by any human consideration, to accuse the innocent, or to conceal the guilty—men, into whose bosoms the mean or ignoble passions of malice or dislike, partiality or hatred, will never be allowed to enter; but who will consider themselves, as they are, selected into that box, from the mass of their fellow citizens, and consecrated, as it were, to the great purposes of public justice.

Gentlemen, it was with a view of accomplishing those great and valuable objects, of promoting the commerce and population of the island, by a strict and equal distribution of justice;—of giving confidence to the inhabitants, and security to the enjoyment of their persons, possessions, and acquisitions; as well as for the punishment of offences, and the repression of vice within the island, that his Majesty, at the instance and desire of that most honourable and respectable body, to whom the government of the British territories in India is committed, (and to whom, on that account, great gratitude is due by the inhabitants of this island) has sent out his gracious charter;—the most liberal in its principles, the most effectual in its jurisdiction, and armed with powers the most extensive and summary, for the administration of civil and criminal justice, that the wisdom of man could devise; calculated to meet every exigency, to adapt and accommodate itself to all the local circumstances of the island, and

and to provide for every emergency that the place itself, or the state and condition of its inhabitants, might require; for which purpose it makes the wise and benevolent system of British law, in a qualified and restricted manner, the rule of justice within the island, for the various and numerous descriptions of inhabitants, who have settled here under the British government, blended with a proper and due attention to the local customs, religious prejudices and manners, of the natives of the country. It is now too late, and unnecessary, to enter into the question, whether the body of British subjects who originally settled and formed themselves into a state of civil society under a British government, in this then uninhabited and uncultivated island, which was obtained by cession from a native prince, (and where no previous law existed) did or did not carry with them so much of the British law as was necessary to protect the inhabitants against personal injuries, and to enforce the moral duties of man; for the effect of the present charter is, that it communicates the civil and criminal law of England, qualified, as I have stated, to this island, down to the date of this charter, as it then stood; but no British statute passed since that period can be received in, or will extend to, this island, unless it is expressly named, or included under a general description, and the British law so received, is to be understood under another restriction, that so much of it only is communicated to this island, as is necessary and convenient to its own local situation, and the condition of an infant colony. Much of it, certainly, would be inapplicable; what shall be admitted, and what rejected, at what times, and under what restrictions, must, in case of dispute, be decided, in the first instance, by our own judicature, subject to the revision and controul of the King in council, the whole of the constitution being at all times liable to be new-modelled by the superintending power of the legislature of the parent country.

For the purpose of administering this law in criminal cases, which may affect the life of man,---it has provided this high court of criminal jurisdiction; and has adopted the principle of the great charter of British freedom, that no subject of his Majesty, whether British or native, shall be punished capitally, or transported for any crime without being brought to answer by due course of law; that he shall not be brought to trial until a grand jury shall first, upon their oaths, present him as a fit object for public prosecution; neither shall he be put to death or exiled, until a petty jury shall, after a full examination of the charge, find him, upon their oaths, to be a fit subject for public punishment.

In arbitrary states, where the life of man is of little value, this would be considered as a very troublesome provision; there, a man is dispatched, chained, tortured or banished, at the arbitrary and capricious will of the prince, or the minister, by an instant declaration that such is his will and pleasure. All rules of evidence are laid aside as inconvenient; the accused never sees his judges, or hears the witnesses; and death to him is a relief from a more wretched existence, but such is not the spirit and temper of British judicature; all our accusations are public, and our trials in the face of the world; with us, torture is unknown, and the

the accused has a right to cross-examine the witnesses produced against him, as well as to contradict their evidence, by opposite testimony; and in the end, his fate is decided by a jury of his fellow citizens, against whom he can form no exception or even personal dislike---subject to the superintendence of a judge, who is bound to be so far of council with the prisoner, as to see that the proceedings against him, are legal and regular.---The present charter has also, in order to meet the local circumstances of the island, and the state of its inhabitants, provided a summary court of session, without the intervention of a jury, to sit as often as the exigencies of the island may require, to try and punish all inferior misdemeanors against the public peace, police and good order, in a most expeditious and effectual manner.---A jurisdiction which, indeed, was absolutely necessary for this island, as from an examination of such records as I have been able to find, I am sorry to see that the number of offences committed within it exceeds beyond all proportion the measure of human guilt in any other, or in all the other settlements in India, or I believe in any other colony of the same extent and population in the known world. I observe, by my calendar, that there are twenty seven murders upon it; seven of which are charged to have been committed within the last year; and (besides many small inferior offences) no less than nineteen thefts and felonies within the compass of the last five weeks.---No doubt, this disordered state of society may be in some measure accounted for, by causes which have produced effects nearly the same in all new colonies and plantations composed of similar materials, before the manners of the lower classes were softened and humanized by habits of industry, social intercourse, and friendly commerce---before regular courts were established to administer the laws, or magistrates to carry them into execution; and really, instead of being discouraged at such a state of things, I cannot but express my surprize, that an island which was a desolate wilderness twenty years ago, and in the recollection of so many that hear me, should, notwithstanding all these disadvantages, now exhibit such considerable marks of improvement, in cultivation and population, should have become an important marine port and station for the refreshment and supply of the British navy, for facilitating the trade between England and China; and, perhaps, may be made an important depot for building shipping; but, at all events, by it central situation, is likely to become the great mart and emporium between Eastern and Western India, for the sale and exchange of both European and Indian produce and manufactures. I confess, when I reflect upon the past, and contemplate the rising prospects of this island, and the great advantages it has received by the present charter, I have the most sanguine hopes, that the general affairs and situation of the island, will soon wear a more promising aspect, and that the dawn of future prosperity will soon become visible.

Gentlemen, the end of criminal law, a most important branch of this juridical system, is to prevent crimes by punishment, that the pain of it, as the sublime Roman orator expresses himself, *may be felt by a few*, and *the dread of it* may be extended *to all*; and in general, I agree with those who think, that

that punishment of unreasonable severity, especially when indiscriminately inflicted, have less effect in preventing crimes, and amending the manners of a people, than such as are more merciful and moderate in general; and that crimes are more effectually prevented by the certainty, than by the severity of punishment. Yet, I shudder to think, that the state of society here is so depraved, at least with respect to one branch of its population; (for, as to the Chinese inhabitants, my observations do not apply to them, they seem to be most industrious and useful subjects;) but as to those who have emigrated here from countries ferocious and uncivilized, I fear that the doctrine to which I have alluded, would, as applied to them in general, be rather the language of benevolent speculation, than of attentive observation or experience; for so long as a body of men exist in a state, without fearing a supreme being, dread the law, and, without feeling any horror of crime, tremble at the idea of punishment; so long it is necessary that great and enormous crimes, strictly proved, should be certainly and severely punished; not by way of vindictive atonement or expiation for the crime itself, but as a precaution against future offences of the same kind, and by setting a dreadful example to deter others; and, in truth, when crimes of deep malignity, such as murder, are so frequent, and have passed so long with impunity, general mercy and indemnity to the guilty would become an act of cruelty to the public, although, in most cases of guilt, I think, that well arranged houses of correction, and penitentiary establishments, are more effectual to produce reformation among the lower class of mankind, than capital punishments.

Having said so much upon the general objects of the charter, and the principles of criminal justice, as I presume it may not have fallen to the lot of many of you, gentlemen, to have acted in your present capacities, you may require some guide to lead you in this untrodden path, some rules to direct you in the exercise of this unusual duty:—I shall now, therefore, endeavour to explain to you very shortly, what ought to be the demeanour of the grand inquest, in relation to their presentments; or, in other words, the office and duty of grand jurors, the mode in which they are to conduct their enquiries and exercise their powers; and, secondly, I shall point your attention to the various classes of prisoners upon the calendar; and shall explain the law, as it arises upon each of the offences contained within it, in order, to assist your judgment, in finding or rejecting the bills which will be brought before you. The first step towards the punishment of offenders is their formal accusation by a grand jury; for which purpose the high sheriff, by virtue of a precept directed to him, returns twenty-four of the principal inhabitants to the court of gaol delivery, selected from each district, and who, from their local knowledge and observation, are supposed to be acquainted with every thing that is passing in it, and that no crime can escape their notice, and therefore in some of the old books, they are called *Inquirors*; in modern ones, the *Solemn Grand Inquest*; and they, on the part of the crown, are to enquire of, and present, all offences

offences happening within their jurisdiction.

The great qualities necessary for the grand inquest are attention and diligence to enquire after truth, sagacity and discretion to discover it, and integrity and firmness to present it. This power of inquiry and accusation may be exercised in two ways: first, by indictment, which is a written technical accusation against a person, of any crime preferred to and presented upon oath by a grand jury, and which is framed by the officer of the court, and laid before them, together with evidence on the part of the crown :--- secondly, by a *presentment*, which is a more comprehensive term, and is an accusation founded upon the notice taken by a grand jury, of any offence, from their knowledge, without any bill of indictment laid before them at the suit of the king; upon which the officers of the court must afterwards frame an indictment before the party presented can be put to answer it:— so that a grand jury may present, either upon evidence, or upon their own knowledge; which the law esteems as authentic a ground for a prosecution, as an accusation founded upon the testimony of others; and it presumes, that, in one way or the other, all offenders will be brought to trial, and that no innocent man will be forced to submit to the disgrace and expense of a public prosecution: ---- For the greater regularity of your proceedings, your foreman presides, reads all bills, puts the question whether they shall pass or not, which is to be decided by the majority, and he certifies the bill either found or ignored; if, by ill health, or other accident, your foreman should at any time be absent, the next in seniority takes his place, or the grand jury may elect a new one.

The leading features of your duty are emphatically pointed out to you in the great constitutional oath, which you have just now taken; by that you learn, that diligence in your inquiries, secresy in your councils, and justice and impartiality in your presentments, are the sacred obligations imposed upon you. The diligence required of you is, that degree of industry to search after truth, and to investigate crimes, which every man who enjoys the protection of government, and the advantages of the due administration of justice, is bound by his duty, and engaged by his interest, to bestow, upon matters in which the interests of society are so deeply involved:--- and here it may be proper for me to inform you, that your jurisdiction extends to inquire of all public wrongs or crimes; but not of civil injuries to individuals, or matters of dispute about property, or private rights, which do not concern the public peace; such private contests are to be determined by another form; but the charter and the law authorizes you to inquire and present all treasons, murders, and other felonies and offences *heretofore* committed, or which may hereafter be committed during this session; and there is no doubt, that all crimes of a public nature, all disturbances of the peace, oppressions and other misdemeanours of notoriously evil example, as well as all attempts to commit crimes, though not actually perpetrated, are indictable at the suit of the king. Your jurisdiction at the present session is confined to offences committed within the island, and

and the territory thereunto belonging; and, in general, you cannot inquire of any fact done out of that jurisdiction, unless enabled to do so by the king's charter or commission, or by act of parliament. *Secrecy* with respect to the king's council, your own and your fellow juror's, is particularly enjoined by your oath, and commanded by the law, as of the greatest consequence to public justice; as the disclosing the evidence and proceedings before a grand jury may give great offenders an opportunity of escaping, or of defeating public justice, counteracting the evidence for the crown, by subornation of perjury; and it is certain, that a grand juror who does so, is guilty of a misprision, and liable to be fined and imprisoned;---and he should neither disclose his own acts or opinions, or those of his fellows who may have dissented from him; which is not only dangerous to the public, but illiberal towards the individual, as it may expose him to the malice and ill-will of the parties.

I must inform you, that it is your duty to inquire only, and not to *try*; and therefore, you are to hear evidence only on the part of the prosecution, and by no means to hear any on the part of the accused. It was formerly a matter of some dispute among great and learned men, what degree of evidence is sufficient to warrant a grand jury to find a bill; but it is now settled by great authority, that as an indictment is merely an accusation, and the party is afterwards to undergo a full trial, they ought upon *probable evidence* only to find a bill; but it ought not to be a *remote* probability; but that degree of it, which approaches the confines of certainty:---It cannot be expected, that the grand jury, who hear evidence only on one side, should have the same persuation of the guilt of the party as the petty jury, or coroner's inquest, who hear the evidence on both sides: and therefore I think it is a good rule to go by, in finding a bill, that the evidence should be so strong on the part of the crown, as (supposing it uncontradicted by witnesses before the petty jury) would be sufficient to convict. It is not necessary that the evidence should be positive; strong presumption, and circumstances which necessarily and usually attend the fact, will be sufficient; as, if a man be found suddenly dead in a room, and another is seen running out in haste with a bloody sword, this is a violent presumption that he is the murderer; for the blood, the weapon, and the hasty flight, are all the necessary concomitants of such horrid facts; and in foul and secret cases, no other evidence is possible to be obtained; so the finding of goods, proved to be stolen, upon a party, recently after the fact of felony, is evidence, accompanied with other suspicious conduct of the party, that he was the person who stole them, unless he is able to account for the possession; but if the grand inquest, upon their own knowledge of the incredibility of the witnesses, are dissatisfied, they should reject the bill.

In general, it is recommended by great lawyers, that if a bill be presented for murder, and it is clear that the prisoner committed the homicide, but circumstances may appear to them to extenuate the offence; that they ought to find the bill for the greater offence, as murder, and not for

manslaughter, or any lesser species; otherwise great crimes may be smothered; and when the party comes upon his trial, the whole fact will be examined before the court and petty jury, and he will have the full benefit of the law, if entitled to it; and in many cases, the contrary practice would be a disadvantage to the accused; for, if the grand inquest ignore the bill, whereby the prisoner is dismissed, yet he may be indicted again for the murder many years after, when, perhaps, all his witnesses may be dead; whereas, if they had found the bill for murder and left it to the court, whose province it is to determine the law, and direct the petty jury to find it manslaughter, or to acquit the party, he might plead that conviction or acquittal in bar to any further indictment for the same fact. It is right for me to observe to you, that, except in high treason, there is no limit of time to the prosecution of offenders: in all treasons, except such as may affect the sacred person of the king, an indictment must be found within three years after the offence committed; but an indictment for murder, or any other offence, may be found at any distance of time after the fact; indeed, when offenders fly from justice, that is reasonable; but when they are in prison, they ought to be brought to trial as recently after the fact as possible; otherwise the punishment loses much of its effect, and it may in many cases be a great hardship upon the accused; however, if there is sufficient evidence to warrant the grand jury to find the bill, in general they should do so, leaving such circumstances to the future consideration of the court.

With respect to the various offences, and the different classes of prisoners, appearing upon the calendar; as it would be impossible, in any one charge, to go through the whole circle of crimes and misdemeanours, with the punishments annexed to each, cognizable by the laws of England: I shall therefore content myself, for the present, with taking notice of such as *must* become the subjects of your inquiry: — and first, with respect to the crime of homicide, which is so familiar among a certain portion of the lower classes on this island: this offence, by the law of England, is of various kinds; it is either justifiable, excusable, or felonious, of which the most atrocious is the crime of wilful murder, which, I believe, is punished universally, in every civilized nation on the earth, with death. In some barbarous and ferocious nations, this crime may perhaps be considered rather as a private injury, to be avenged by private retaliation, than as a crime against the public; but the law of God, and the voice of nature, unite in proclaiming, "that whosoever sheddeth "man's blood, by man shall his "blood be shed; and that the "land must continue polluted, "'till cleansed by the blood of "those who shed it." The right of punishing murder, and the like crimes against the law of nature, was in a state of mere nature, vested in every individual, whereof the *first* murderer, Cain, was so sensible, that we find him declaring his apprehensions, that whoever would meet him, would put him to death. In a state of society,

ty, this right is transferred from individuals, to the sovereign power, whereby men are prevented from becoming judges in their own causes, which is one of the evils civil government was intended to remedy; whatever power, therefore, individuals had of punishing such offences against the law of nature, is now vested in the supreme magistrate; and upon this principle it is, that many persons who are not subject to the municipal law of England, and are not triable for any other crime, as foreign ambassadors and their suite, are yet liable to be tried and put to death for the crime of murder, as an offence, not against the particular law of England, but against the law of nature, and the universal law of all civilized societies, of which several instances are mentioned by my lord Hale.

Murder, by our law, is defined to be the killing another, of any country or religion, whether native or foreigner, under the king's peace, with malice prepense, either express or implied; but many persons have fallen into a fatal error, as to the import of the term *malice aforethought*, which certainly is an essential ingredient to constitute murder; and some have fallen into a great mistake, as to what shall be said to be a provocation, which, in point of law, is sufficient to extenuate or alleviate a killing, from murder to manslaughter; to which two points I shall now direct your attention. When the law makes use of the word malice, as descriptive of the crime of murder, it is not to be understood according to the vulgar acceptation of the word:--- "A malevolence, or rancour of "mind, lodged in the person killing, for some considerable time "before the commission of the "fact; the law by the term malice means, that the fact hath "been attended with such circumstances as shew a wicked and "malignant heart; and it is not "so properly spite, or malevolence, to the deceased in particular, as any evil design in "general; and therefore, if a "man kills another suddenly, "without any, or without a considerable provocation, the law "will imply malice; so, if a person kills another, in consequence "of such a wilful act, shows him "to be an enemy to all mankind "in general, as discharging a loaded gun among a multitude of "people: or if a man resolves to "kill the next man he meets, "and does kill him, it is murder, "though he know him not; for "such a man is called *hostis humani generis*."

Now, as to what shall be a sufficient provocation, or under what circumstances heat of blood will avail, to extenuate a killing from murder to manslaughter. It is certain that no words of reproach or infamy, how grievous soever they may be, are a provocation sufficient to free the party who kills another with a deadly weapon, or in such a way as shews an intention to kill, or do some great bodily harm, from the guilt of murder; nor are indecent, provoking actions, or gestures expressive of contempt or reproach; and homicide, upon such provocations, has been always ruled to be murder; so, if a man, upon a trespass done to his land or goods, kills the person with a mortal or deadly weapon, or beats him in a cruel and unusual manner, it would be murder; and some judges have held, that even a slight blow would not excuse the party who kills another, *in a brutal and cruel manner,*

manner, and with a mortal weapon; but it may be laid down as a general rule, that in every case of homicide, upon provocation, however great soever it may be, if there is sufficient cooling time for passion to subside, and reason to interpose, such homicide will be murder; and therefore, if a man kills an adulterer, deliberately and upon revenge, *after the fact*, and sufficient cooling time, or upon idea of jealousy, it is undoubtedly murder; though, if he had found the party in the act, it would be no more than manslaughter; and in this the law of all countries agrees with our own: and in all possible cases, deliberate homicide, upon a principle of revenge, is murder. No man who is under the protection of the law, is to be the avenger of his own wrongs. If they are of such a nature, for which the laws of society can give him redress, thither he ought to resort; but, be they of what nature soever, vengeance belongs not to man.

Here it may be proper that I should observe to you, that, in cases of murder, the law admits evidence of the declarations of the deceased, after the mortal wound, given against the offender; but it must appear, that the party making them was then sensible of approaching dissolution, or in such a state that he must have felt the hand of death. The law considers a declaration made by a person in that state, when all hopes of this world are gone, and no human temptation could be supposed to induce the party to tell a falsehood, as equal in solemnity to an oath; so the examination of a prisoner, on the informations of witnesses before a coroner or magistrate, are in case of the death of the witnesses, and, in some other cases, evidence, provided they are taken according to the direction of the statutes of the 1st and 2d, and 2d and 3d of Philip and Mary, c. 10. Murder is death by the law of England, both in the principals and accessaries before the fact.

Burglary is also a very high offence by the English law, being an invasion of that right of habitation which every man might acquire in a state of nature; and on that account, and by reason of the terror which it causes to the owner and his family, is punishable by our law with death. A burglar is he that by night breaketh and entereth a mansion house, with intent to commit a felony, and it is of two kinds:--- 1st, simple,--- 2d, compound burglary. In order to complete the crime, four things are necessary:---1st, that it should be committed by night;---2dly, it must be in a dwelling-house; for no distant out-house or ware-house, unless it be a parcel of the mansion-house, or connected with it by a common fence, is entitled to the same privilege;---3dly, there must be a *breaking and entry*; but both need not be done at once; for if a hole be broken in a house one night, and the breakers enter the next night through the same, they are burglars. Opening a window, picking a lock, lifting the latch of a door, or unloosening any other fastening, which the owner has provided, is a breaking, in point of law; and if a servant, who lives in the house, conspires with a robber and lets him in at night, this is a burglary in both; the least entry with any part of the body, or with an instrument held in the hand, to draw out goods, or a pistol, to demand money, are all burglarious entries; and if one of a party

party enters, and the rest keep watch at convenient distances, they are all equally guilty; but the entry must be with intent to commit a felony; and if so, it is burglary, whether the thing be done or not; and if a person makes a hole in the wall of a house, or breaks a house in any other manner, and sends a child (not of years of discretion) to enter therein, and commit a felony, which is accordingly done, and the person sending the child stays away to avoid detection, yet he, though absent, is the principal, and as guilty as if he himself had entered, for such a child is not capable of crime.

The next offence on the calendar is the offence of larceny, or theft, which, when the goods stolen are above the value of one shilling, is grand larceny; when of goods of that value, or under, it is called petty larceny; simple grand larceny, though excused the pains of death for the first offence, is punishable with transportation or imprisonment, and being sent to hard labour in the house of correction, or on the public works; petty larceny is punished by imprisonment and whipping, and being sent to the house of correction; and in some cases by transportation for seven years. The ingredients necessary to constitute larceny are three:---there must be, 1st, a taking; 2d, a carrying away; and, 3d, a felonious intent to steal; the latter is of the essence of the crime, and is evidenced by a variety of circumstances, demonstrating a guilty mind; if the goods were taken clandestinely, or the party denies the fact afterwards; or flies, or gives false and contradictory accounts of the act; obtaining goods by delivery of the owner, by such fraudulent pretences as shew an original intention to steal; or a servant converting his master's goods, committed to his charge, would be felonious larcenies; but if a man takes goods as a trespasser, or under a claim of right;---as, where a landlord distrains goods for rent when none is due; or a party takes goods, in such a manner as shews that he intended only to commit a civil injury, and not to steal, such acts do not amount to felonious larcenies, though they are a ground for an action.

The offence of robbery from the person, is an aggravated species of larceny, punishable by the law of England with death, on account of the violation of the personal security; for which reason, in order to constitute this offence, there must be a previous violence, or forceable taking of property from the person, by previous putting in fear; but it is sufficient if it appears to have been attended with such circumstances of violence or terror, which, in common experience, are likely to induce a man to part with his property against his consent, for the safety of his person; but it is immaterial what the value of the thing taken is, provided it is taken forcibly from the person. I observe, by the calendar, that a robbery was committed three days ago, by a band of ruffians on the opposite shore; where, I understand, no person can venture at present, without the hazard, or certainty, of being assassinated or plundered; and therefore, it is incumbent on the police, to establish proper watches and guards on that station, as well as in every part of the island, to prevent the commission of those outrageous offences, otherwise, the crimes will become so numerous, that this court can attend to nothing else,

but

but criminal trials; and the civil business of the island, which is very heavy, must be neglected, or postponed.

We find the learned chief justice of Calcutta lately congratulating his grand jury, upon the orderly state of that great capital; where, in a town, in which the population is near one million, and composed of persons differing in customs, manners, and country, there were but two crimes on the calendar! after an interval of six months; which the learned chief justice imputes principally to the exertion of the magistrates, and the admirable system of police established by government for that capital, and therefore, it would be well to follow that useful example; and by activity, exertion, and vigilance, to throw such embarrassments and difficulties in the way of public plunderers, as will prevent the commission of crimes, and shew them, that they cannot carry on their depredations, without the greatest hazard, or certainty of detection; all suspicious night-walkers, and disorderly persons, should be apprehended; and by those measures they will either be induced to give up their criminal delinquency altogether, or, at all events, the evils which at present exist, will be very much diminished.

With respect to the number of offenders on the calendar, which amount to sixty seven, the charter empowers you to inquire of all treasons, murders, and other felonies, *theretofore*, (that is, previous to the 25th of March, 1807, the day the charter passed,) had, done, or committed, or which should *thereafter* be committed within this island, or its subordinate territories; but, general as the words in this retrospective clause appear to be, they must be limited in their construction, within the rules of law and justice; and this clause must be compared with, and construed by, other clauses in the charter, relating to the same matter. The commission of gaol delivery, though it confers very extensive powers, has certain limits fixed for the exercise of its jurisdiction; it is confined merely to that class of prisoners who lie in gaol for their deliverance, and who are entitled to be tried by it: it is true, the court will take care that no man shall be detained in gaol, without a legal charge; but it does not extend to such as are *attached*, who have been tried by former competent jurisdictions.

Now, the charter takes notice, that although no regular judicature could be created, without the king's authority; yet, that certain courts, and persons exercising the powers of judicature in civil and criminal cases, did, in point of fact, exist in this island before the charter, it provides, that their powers shall cease; but, nevertheless, that all their acts, judgments and proceedings, in civil and criminal cases, should remain in full force; unless varied and avoided by the new court, upon proper proceedings instituted for the purpose.

The prisoners on the calendar may be divided into three classes: the first class of prisoners consist of about eighteen persons, heretofore tried by the police magistrate, and sentenced, by the governor and council, to imprisonment and corporal punishment for robberies and other offences; for which, perhaps, if they had been tried in this court, they would have been subject to a higher punishment: to that class of prisoners your inquiries are not to

to extend; as no man who has received the slightest punishment, can be again tried by this court, for the same offence. The second class of prisoners consist of eighteen of the twenty-seven persons who are returned upon the calendar as charged with murders committed some years before the present charter passed; Now, although I think, that no principle of British law, or natural justice, would be violated by giving the retrospective clause its operation upon the crime of murder, which existed, by the law of nature, antecedent to any municipal institution, and for which crime, a mode of trial is given by the charter, more favourable to a prisoner than that which prevails in any other country in the world, not governed by the British constitution; yet it appears to me, that those eighteen prisoners have been heretofore tried for those murders, before another criminal court, which then in fact sat and exercised jurisdiction under certain authorities derived from the then supreme government of Bengal, the records of which trials are now before me; by which it appears, that all, except one or two of those persons, were found guilty, after long and formal trial, and examination of witnesses on both sides by their judges, of murder; although no sentences were passed upon them; but it seems, the verdicts were referred to the former Calcutta governments, for their direction; and the parties have remained ever since in gaol.

I find, also, by the same records, that many other persons were at the same time, and by the same tribunal, tried and acquitted, of murders, and discharged: now, whatever doubt might heretofore have been entertained of the competency of those jurisdictions; yet now, as the present charter recognizes their acts, I think, that under these circumstances, I could not, without a violation of the rules of law and justice, construe that retrospective clause, as authorizing me to try, or you to inquire, of the merits of such cases, when the witnesses on both sides are probably dead, and the parties in custody might plead their former acquittals: In truth, such a construction would open the door to many mischiefs, and indeed, it does not appear, that there are now any prosecutors or witnesses in those cases, if the court could re-try prisoners so circumstanced.

The third class of prisoners consists of eight or nine persons, charged with murders, recently committed, since the passing of the charter, and some of them within the last few months; to these cases your inquiries should be directed, as well as to that class of prisoners, consisting of about twenty men, who are charged with felonies and thefts committed within a few days past, and some of them during the sitting of the last quarter sessions, which was an additional outrage upon public justice; and the calendar of offences for the last month is carried on periodically from day to day, and quantities of cumbrous goods have been carried through the streets without obstruction or interruption; as if those faithless guardians of the night were accomplices in the plunder of them whom they are paid to protect.

Of all those offences, you are to inquire, and true presentments make; but you are only to inquire, whether the party accused, is charged with such probable circumstances as to justify you in sending him to another jury, who are appointed by law to hear the evidence

evidence on both sides, and to say, whether the person charged, be guilty or not, of the crime imputed to him; and, if upon such trial, any advantage can be derived from the nicety and caution of the law; or any favourable circumstances appear, it will be as much my inclination, as it will be my duty, to pay due attention to such circumstances :---and if the law declares them guilty, the offenders may still have recourse to that fountain of mercy, the royal breast, where justice is always tempered with clemency :---such is the inestimable blessing of a government founded in law, that it extends its benefits to all alike; to the guilty and the innocent; to the latter, the law is a protection and safeguard; to the former, it is not a protection indeed, but it may be considered as a house of refuge; indeed there cannot be a greater proof of the excellence of the British constitution, than by administering its benefits to all men indifferently.

I cannot dismiss you, gentlemen, without saying something on the state of the gaol of this island, which I have visited and examined in person, as I thought it my duty to do; and I am very sorry to say, that considering it either as a place of detention for the accused, or for the debtor, or as a place of punishment for those who are convicted of crimes, it seems to be very unfit for the purpose; both in situation, and in the arrangement made for the comfort of those confined within it. A prison ought to be so constructed, as to prevent the loss of liberty from being aggravated by any unnecessary severities; nor will the law allow any thing like torture or cruelty, towards prisoners confined therein :---they should be treated, by their gaoler, with all possible humanity, consistent with their safe-keeping.

The high sheriff has, by his report, which I have in my hand, complained of its insecurity, and being totally unfit for prisoners. As to its being in a healthy situation, I cannot form any opinion, except from the coroner's inquisition; by which I see, that numbers have died in it. Those considerations have made me think it my bounden duty, to attract your notice to this subject, and to request, that you will go and examine the prison, and state your opinion thereon, before the session closes.

CEYLON.

Occurrences for July, 1807.

July 15. The honourable and reverend Thomas James Twisleton, to be provincial judge at Jaffna.

Simon Sawers, Esq. to be sitting magistrate of Colombo.

Head Quarters, Mount Lavinia,
18th July, 1807.

Lieutenant-general Maitland has been pleased to make the following appointment:

Captain F. Whitfield, to be Fort Major of Trincomalee, vice Barry.

Date of Appointment, 1st July, 1805.

(Signed) H. G. Brownrigg.

Occur-

Occurrences for August, 1807.

REGULATION OF GOVERNMENT.

5th. August.

Present his excellency the governor in council A.D. 1807. Regulation 7th.

Whereas in and by his Majesty's charter, establishing the supreme court of judicature in the island of Ceylon, (to wit) in the thirty eighth section thereof the following power (among others) is given to the said supreme court (that is to say) and, "if the cause of action contained in any such libel or petition shall be personal, and of more amount in value than one hundred rix dollars of current money of Ceylon, and the plaintiff by affidavit, or being a quaker by affirmation in writing, to be filed of record, shall satisfy the said supreme court of judicature that the defendant is justly and truly indebted to him in a greater sum than one hundred rix dollars, or shall, by like affidavit or affirmation, to be filed as aforesaid, verify to the satisfaction of the said supreme court, a case of such enormous personal wrong done to the said plaintiff, or that the said defendant is so vehemently suspected of intending to flee and withdraw himself from the jurisdiction of the said supreme court, to render such security necessary for the purposes of justice, the said supreme court of judicature in the island of Ceylon shall, and is hereby authorized and empowered to award and issue, in lieu of the citation aforesaid, a mandate of arrest, to be prepared in manner above-mentioned, and directed to the said fiscal, commanding him to arrest and seize the body of such defendant, and to have his said body at a time and place in the said mandate to be specified, before the said court, to answer the said libel or petition, and to give sufficient bail, to be approved of by the said supreme court, that he will stand to and perform the sentence of the said supreme court upon the premises, and pay all such sum or sums of money as shall thereby be decreed; and the said supreme court of judicature may, in and by the said mandate, authorize the said fiscal, to deliver the body of such defendant so arrested to sufficient bail, upon their sufficient stipulation and security given, that such defendant shall appear at the time and place mentioned in such mandate and in all things perform and fulfil the exigence thereof, and upon the appearance of such defendant in and before the said supreme court of judicature, we do hereby authorize and empower the said supreme court to commit him to prison to the custody of the said fiscal, unless, or until he shall give security to the satisfaction of the said supreme court, to perform the sentence thereof, and pay all such sum or sums as shall be decreed thereby, which security we hereby empower the said court to take, and thereupon to deliver the body of the said defendant upon bail." And whereas there is no provision in the said charter authorizing the judge or judges of the said supreme court to issue such mandate of arrest, in lieu of the said ordinary process, while the said supreme court is absent from Colombo, during the circuits, in the said charter directed to be made or taken by the said supreme court annually; and whereas during such periods,

periods, while the said supreme court is absent from Colombo, cases may and do frequently arise, in which the substitution of a mandate of arrest in lieu of the ordinary process by citation is absolutely necessary for the attainment of ultimate and substantial justice, and, above all, particularly so where the defendant may be justly suspected of an intention to flee and withdraw himself from the jurisdiction of the said supreme court.

In order therefore to prevent such failure of justice, and by virtue of the powers vested in us by his majesty, we do hereby enact, that in the absence of the said supreme court from Colombo, during the circuit which is now about to be made, it shall and may be lawful for the sitting magistrate of Colombo, for the time being, in the cases mentioned in the said in part recited thirty-eighth section of the said charter, (and he is hereby ordered and directed so to do) upon application, made to him for that purpose, by or on behalf of any suitor or suitors in the said supreme court to issue process of arrest against any defendant or defendants, in any suit commenced or to be commenced in the said supreme court, wherever the plaintiffs therein shall, by affidavit or otherwise, to the satisfaction of the said sitting magistrate, furnish proof to shew that such defendant or defendants are so vehemently suspected of intending to flee and withdraw themselves from the jurisdiction of the said supreme court, as in the judgment of the said sitting magistrate to render such arrest, and the security consequent thereupon, under the provision of the said charter, in the said thirty eighth section thereof prescribed, necessary for the purpose of justice. The sitting magistrate shall in all such cases report his proceedings to the supreme court within 24 hours after the said process of arrest shall have issued.

Colombo, 3d August 1807.

By order of the Council,

(Signed) JOHN DEANE.
Sec. to the Council.

By His Excellency's command.

(Signed) JOHN RODNEY.

Occurrences for MARCH, 1808.

Head Quarters, Galle.

March 18.---The St. Fiorenzo frigate, commanded by the late Captain Hardinge, has, after an action second to none that ever graced the annals of the navy, towed into the Roads of Colombo the French frigate La Piedmontese, more than double her force in point of men, and superior in the number of guns, and which had hitherto escaped the vigilance of the navy. Lieut-general Maitland feels it his duty, as representing his sovereign in this island, to direct, that at four o'clock the flag at the flag-staff be hoisted half flag-staff high, and that minute guns be fired agreeable to the number of years Captain Hardinge had so honourably lived, when his career was, so unfortunately for his friends and his country, cut off.

This order will be read at the head of the troops when it arrives; and similar honours to the memory of Captain Hardinge will be paid in all the forts of the Island on the day of its arrival.

Occurrences

Occurrences for APRIL.

April 4.---We have this moment received an authentic account of a very severe and well-contested action, fought on the 16th ultimo between his Majesty's ship Terpsichore, Captain W. A. Montague and a large French frigate, supposed, from her appearance, to b the Canonier We are sorry to add, that the result has not proved so fortunate as might have been expected, from the gallantry and persevering exertions displayed by Captain Montague, and his brave officers and ship's company; the enemy, after her fire had been almost wholly silenced, having made off, and, owing to her great superiority in sailing, and to the severe damage sustained by the Terpsichore in her rigging, unfortunately escaped, after a most anxious and active chace of five successive days. The following are the particulars of this gallant action :---

Captain Montague left Point de Galle on the 11th of March, for Madras, and on the 16th fell in with a French frigate, which, from her appearance, having fourteen ports on a side, was supposed to be the Canonier, and by disguising the Terpsichore, was fortunate enough to bring the enemy to action at seven P. M. when, after lying six and fifty minutes close alongside, and at the very moment that captain Montague imagined his exertion had been crowned by the most complete success, the enemy's fire having for the last twenty minutes considerably slackened, and at times wholly ceased, he experienced the mortification of seeing her make sail. He endeavoured immediately to follow, but found that the enemy's fire, which had been principally directed at the masts and rigging, had nearly reduced the Terpsichore to a perfect wreck; her fore and main stays, top-mast stays, and many of her lower and top-mast shrouds, her braces, bowlines, tacks, and sheets, without a single exception, were each cut in several places; the leach-rope of the main and main-top-sail cut, and the sails split across, besides many others for a time rendered useless. The enemy perceiving the ungovernable state of his Majesty's ship, bore across her bows, the wind blowing fresh from N. E. The Terpsichore immediately wore and endeavoured to close, which was carefully avoided. At nine she had every thing set in chase, the enemy continuing under all sail before the wind, and keeping up an occasional fire from her stern-chasers, till out of gun-shot, which she effected by ten P. M. The next morning, finding she had not gained much on them, Captain Montague continued after her, in hopes some fortunate event might again enable him to get alongside; she kept running with a fresh wind to the southward. On approaching the line, they experienced light winds and partial squalls, which sometimes brought the Terpsichore nearly within gun-shot before the enemy derived the smallest advantage, but when she did, she left them immediately. On the 20th, during a heavy squall, they got close to her; she com-

commenced a fire from her stern-chasers, and cut away her boats, and from several of her ports floating past, captain Montague was led to imagine she must have thrown some of her guns over-board. The light winds again commencing, she run a-head considerably during the night of the 20th, which was dark and squally, and was entirely lost sight of. At two o'clock in the morning of the 21st, they discovered a sail a-head, which was supposed to be the chase, but on firing the first gun she hove to, and on boarding proved to be the brig Cadry, prize to La Piedmontese, which was taken possession of and sent to Madras. At day-light, being unable to perceive any thing of the enemy, captain Montague hauled to the eastward.

Captain Montague speaks in the highest terms of the very able assistance he met with from every officer under his command; and of the spirited and persevering conduct of the whole of his ship's company. Their loss, we are sorry to say, has been very considerable; Lieutenant C. Tanes and twenty men killed, and twenty-two men wounded, two of whom are since dead. The Terpsichore has returned to Point de Galle. *(Ceylon Government Gazette.)*

Occurrences for July.

Clement Sneyd, Esq.
Capt. of H. M. ship sir Francis Drake.

Sir,—We the undersigned officers of his Majesty's ship Sir Francis Drake, on your quitting the command of this ship (an event which has impressed us with the most unfeigned sentiments of regret) cannot suffer you to depart without endeavouring to express how deeply sensible we are of the satisfaction and happiness we have experienced while we have had the honour of being under your pendant.

Words can but faintly convey the high sense we entertain of the impartiality and justice with which you have exercised the power and authority which has been delegated to you, at the same time that the suavity of your manners as a gentleman has been so duly blended with the necessary authority of naval discipline, as eminently to have contributed to the support and encouragement of that harmony and unanimity which so happily subsists among us.

While we have to lament the departure of a commander so deservedly beloved and respected by his officers, it is with much sincerity we offer our most hearty wishes for your good fortune, prosperity, and happiness.

We have the honour to be,
very respectfully,
Sir,
your most obedient,
and faithful servants.

(Signed) R. A. Andoe, 1st lieut. J. Henderson, 2d, do.—R. P. Head, 3d do.---W. Patterson, master,---Robert White, 1st lieut. P. M. --- W. Kimber, purser.

Sir Francis Drake,
Trincomalee, July 2, 1808.

Captain

Captain Sneyd's answer.
Sir F. Drake, Trincomalee, July 2, 1808.

Gentlemen,---I have just received your very handsome letter, expressive of your sentiments of regret at my removal from the command of the Sir Francis Drake, a ship I should have been truly proud of remaining in, had I the good fortune of being confirmed in her; but as it has been otherwise arranged I cannot help expressing how sorry I am at separating from officers I have so high a respect for, and whose conduct upon all occasions has merited my utmost esteem.

While I lament the circumstance which deprives me the pleasure of sharing in, I must ever anticipate your future good fortunes, and I can with confidence say, no person will be more rejoiced at any success that may attend you, than, gentlemen,

Your very humble servant,
(Signed) CLEMENT SNEYD.
To the officers of the Drake's gun room.

Occurrences for AUGUST.

August 18th.---Captain Lenn, 3d Ceylon regiment, to be brigade major to the forces serving on Ceylon, until further orders, vice Pearson, deceased; date of appointment, 7th August, 1808.

Head-quarters, Mount Lavinia,
August 19, 1808.
General Orders.

During the absence from the island of lieutenant-colonel Wilson, deputy-quarter-master-general, the details of that department will be carried on by captain Hankey, assistant-quarter-master-general.

Lieutenant Stewart, 19th regiment, is appointed temporary assistant in the quarter-master-general's department, until further orders---1st April, 1808.

Lieutenant Dick, 2d Ceylon regiment, is appointed assistant to the military-secretary, until further orders,---1st April, 1808.

(Signed) H. Q. BROWNRIGG,
Deputy-adjutant-general.

Occurrences for SEPTEMBER.

September 28.--- On Thursday afternoon the 15th instant, arrived the H. C. ship Jane, Duchess of Gordon, captain Cameron, from England, the 8th May.

On Thursday evening last, his excellency the governor and suite, attended by the commissioner of revenue, arrived at Colombo, on his return from a tour round the island.

His majesty has been pleased to issue a warrant under his signet and sign manual, appointing William Coke, Esq. to be his majesty's advocate fiscal, on the island of Ceylon.

Mr. Coke having arrived at Colombo, in the hon. company's ship *Jane, Duchess of Gordon*, and having taken the usual oaths, has accordingly entered upon the duties of his office.

ST.

ST. HELENA.

Occurrences for SEPTEMBER, 1807-8

LOSS OF THE H. C. SHIP GANGES.

To the worshipful Robert Patton, Governor, &c. &c.

Sir,---I perform a painful duty in acquainting you with the total loss of the H. C. ship Ganges, lately under my command, on Friday, the 29th ult. off the Cape of Good Hope, in lat. 38, 22 S. and long. 19, 50 E. of Greenwich; the particulars of which are faithfully and carefully stated in an extract from her log-book, which I have the honour to inclose herewith.

I shall do myself the honour of waiting upon you as soon as I come on shore; and mean time beg leave to refer you to my second officer, who is the bearer of this letter, for any farther information which you may require on this distressing subject.

I have the honour to be,
Sir,
Your most obt. humble servant,
(Signed) T. HARRINGTON.

H. C.'s ship E. St. Vincent,
16th June, 1807.

Extract from the log-book of the Ship Ganges.

Friday, May 29, 1807.

"A. M. a light breeze and fair, the swell much gone down, but the ship still rolling dreadfully, and rendering it dangerous for the boats to take persons on board, whether astern or alongside. At a quarter past noon the St. Vincent being still nearly four miles from us, there being 7 feet water in the well, the stern-post being now four inches off the dead wood, and the ship ungovernable by the helm, got the launch at all risks alongside, having in vain attempted to put the ladies on board of her out of the stern gallery, though the railing was cut away for the purpose. At three quarters past noon she left us with all the passengers, except Mr. Rolleston, of the Bombay civil establishment, who insisted, in a manner the most friendly to me, and the most honourable to himself, in remaining on board until my officers and self quitted the ship. At one P. M. the yawl left us with the sick people and some others; ship's company and soldiers of H. M. 77th regiment still working at the pumps with unabated vigor and good will. At three P. M. 8 feet water in the well and the ship settling fast. At past four, 9 feet water in the well and seeing the launch on her return, called the people up from the pumps. Down both cutters, and sent them off as fast as prudence would permit, with orders not to return. At five the launch, yawl, and one of the St. Vincent's boats came alongside, and by half past five had all left the ship again full of people, the third and fifth officers in charge of the launch and yawl.

"I, immediately after the boats had quitted us, mustered the people, and there being 49 then still on board, (Mr. Rolleston, the chief, fourth and sixth officers, and myself included) again set the pumps to work, as the night was closing in

in fast, and the St. Vincent still at some distance from us. At six P. M. in company with the chief officer, gunner, and carpenter, visited the gun-room for the last time; found the head of the stern-post had forsaken the transom full six inches, the yarboard seam of the counter two inches open for six or seven feet down at least, the wood ends five inches off the stern-post, and all the counter timber gone at the heels. At three-quarters past eight, P. M. the St. Vincent's boat and the yawl once more came alongside, and then (and not till then) were the pumps finally quitted by my orders. Filled the two boats and dispatched them to return no more; five minutes afwards the launch came back to us, and at three-quarters past eight, accompanied by Mr. Rolleston, the chief, fourth and sixth officers, and all that remained of the ship's company, I quitted the unfortunate Ganges with three cheers from us all, and twenty minutes after boarded the St. Vincent in safety; where we were received by captain Jones, with all that feeling and humanity which has distinguished his conduct since our separation from the fleet, and here, before the journal of this eventful voyage is finally closed, I conceive it to be my duty to state, that in leaving the ship, she had ten feet of water in the well, that she had settled half way up her bends, that she was wholly ungovernable by the helm, that the poop, quarter deck, and upper works generally were in motion, and that as no *human means* were left untried, so were no *human powers* equal to save her from destruction.

"At day light, the St. Vincent, from causes, as must appear in the log book, having made but little progress in the night, saw the ship about five miles off with her masts, yards and sails, in the same situation as on the preceding evening. At seven, A. M. captain Jones, in compliance with my request, bore up towards her, and at nine accompanied by Mr. Rolleston, the chief and fourth officer, and a full complement of men for the boat, I pulled towards her in the launch, with the hope of saving some part (however small) of the property on board.

"As we approached the ship, observed the water running out of the scuttles on the gun-deck, and that the fore castle was, at times, completely buried in the waves. Under such circumstances, the ship being evidently in a sinking state, we conceived it most prudent to relinquish our object, and therefore immediately returned to the St. Vincent, at this time not more than a quarter of a mile distant. About four minutes before noon got alongside of her again, and fortunate it was that we did so, for scarcely had the launch been secured in that situation, before the Ganges, with three close reefed topsails set upon her, fore and main yards square, cross jack yard spread up, and mizen stay sail sheet aft, fore sail in the brails, and helm lashing alee, in a most extraordinary manner paid off before the wind, and, in the lapse of one minute, sunk entirely, going down head foremost, (with all masts standing, except the main top mast, which on the main yards touching the water, broke off at the cap and fell forwards) and leaving on the minds of upwards of four hundred persons, who were witnesses to this most awful scence, an impression which the *feeling heart* may perhaps *conceive*, but

but which never can, I think, by the *ablest pen*, be with *justice described*.

Lat. 38. 22. S. where the journal of this ill-fated ship closes for ever.

(Signed) T. HARRINGTON.

The measles had been brought from the Cape to the island, and proved very fatal. Eleven ladies, three gentlemen, about fifty white children, and every good black on the island, had fallen victims to this disorder.

At a meeting of the passengers of the late ship Ganges, held at St. Helena, on Saturday the 20th of June, 1807, for the purpose of presenting some testimony of their grateful acknowledgments to Charles Jones, Esq. commander of the honorable company's ship Earl St. Vincent, for having been the means, under the guidance of providence, of having rescued the whole of them from an untimely and miserable fate.

Lieut.-general Nichols being requested to take the chair---

RESOLVED UNANIMOUSLY, ---

First,---that a handsome piece of plate, of the value of one hundred guineas, with an appropriate inscription, in commemoration of the above event, be presented to captain Jones.

Second---That captain Jones be requested to accept of the sum of two thousand guineas, as a grateful acknowledgment of the sense we entertain of his liberal, kind, and hospitable attention to us, whilst we remained on board the St. Vincent.

Third---That a committee, of lieutenant-general Nichols, lieutenant-colonel Grant, and James Law, Esq. be appointed to carry the above resolutions into effect, as early, after their arrival in England, as circumstances may permit.

Fourth---That lieutenant-general Nicholls be requested to present a copy of these resolutions to captain Jones, on the part of the passengers of the Ganges.

(Signed) O. NICHOLLS,
Chairman.

To Lieut.-gen. Oliver Nicholls.

SIR,---I had the honour of receiving your letter of the 22d instant, conveying the resolutions of the passengers of the hon. company's late ship Ganges.

I shall accept with gratitude the piece of plate they are pleased to present me with; and shall retain it as a testimony of their friendship, as well as a memorial of the singular situation I was placed in by providence, to be the means of aiding in the preservation of such a number of my fellow creatures.

Your token of two thousand guineas I shall also accept, and am proud in being considered worthy the munificence of so much liberality.

The means I had of accomodating you on board, did not equal my wishes; in this my passengers and officers were equally forward with myself.

I have to return my warmest thanks to you, sir, for the very polite manner in which you have been pleased to communicate the resolutions of the passengers.

I have the honour to be,
Sir.
With great esteem,
Your obedient servant,
CHARLES JONES.

St. Helena, 23d June, 1807.

We give insertion to the following address from the learned and philanthropic Dr. Anderson, of Madras, to the governor of St. Helena, for

for the information of all persons who may expect to touch at that island on their voyage to England or otherwise.

To the hon. col. R. Patton, governor of St. Helena, &c. &c.

HON. SIR,---Having been constituted a member of an agricultural or horticultural society, that was formed with great zeal at St. Helena a number of years ago, I have omitted no favourable opportunity of transmitting every produce of this quarter that seemed propitious to the views of the society; particularly the best kind of Mangoes, which are preserved genuine by engrafting; and this public communication, in the view of being more essentially and extensively useful, will, I am sure, meet your entire support, when I tell you, that a plant sent here from his Majesty's garden at Kew, for the nourishment of cochineal insects, turns out to be applicable to much higher purposes, (viz.) the cure, and even the prevention of scurvy.

As your island, which I have traversed, is, by its volcanic products of gravel and sand, well adapted to the rearing of this plant, and as I have established a plantation here to meet the demands of his Majesty's fleet in these seas; it is my intention to send, by every opportunity, Nopal plants, until the island of St. Helena is covered with them; that British seamen may be furnished with the means of being preserved from this deadly pestilence on both sides of Africa.

To effect so valuable a purpose, it appears to me only necessary, that at your leisure and conveniency, the plants which I shall send, may be transmitted to persons dwelling in the country, who will find an interest in planting and rearing them, as food for their cattle, as well as a luxury for their own tables in dry seasons, which will soon be attended with all the necessary surplus, and the Nopals will be sent from hence in dry baskets, each containing 350 plants.

I am, honorable Sir,

Your very obedient,

Humble servant,

J. ANDERSON.

Madras, June 20.

GOVERNMENT NOTIFICATIONS.

Commercial Regulations.

The following extract of a letter from the honourable court of directors, is published for general information.

We have resolved that the following sums shall be charged to individuals for the freight of goods laden by them homewards on the regular and extra ships of the seasons undermentioned, viz.

Season 1804. — £.30 10 per ton for goods laden on regular ships.

Season 1805. — £.32 5 per ton for goods laden on regular ships.

£.22 15 per ton for goods laden on extra ships.

Season 1806. — £.30 10 per ton for goods laden on regular ships.

£.22 15 per ton for goods laden on extra ships.

Season 1807-8. — £.30 10 per ton for goods laden on regular ships.

By order of the president and members of the board of trade,

J. G. Watkin, *Act. Sec.*

Fort St. George, Aug. 17, 1807.

PUBLIC DEPARTMENT.

The honourable the governor in council having been pleased to resolve that a reward of 5,000 star pagodas, or 2,000l. shall be paid to any commander of a British vessel who may import alive at Madras the genuine cochineal insect, the growth of South America, the following description of the species of insects for which this reward will be paid, and of the mode recommended to be pursued for the accomplishment of this object, is published for general information.

There is a distinction in trade of four kinds, viz. Mastique, Compreschane, Tetraschale, and Sylvestre, of which, the first is accounted the best, and the last the worst; the first three derive their names from the situation of their produce, the last is found wild, and though, perhaps, superior to the spurious insect procured here, is not considered to be a desideratum.—

If either of the other three kinds above specified could be procured, it is suggested that the live insect may be preserved on the plant during the voyage to Madras, but as the success of this experiment, on a sea voyage, must be precarious, every other practical mode that can be devised should be attempted; for this purpose the following is understood to be the mode practised by the Spaniards for preserving the insect whilst propagating its species, or depositing its eggs.—The insects designed for this purpose are taken at a proper time of their growth, put in a box well closed, and lined with coarse cloth, in this confinement they deposit their eggs and die—the box is kept close shut till the time of placing the eggs on the Nopal, the animalculæ are so minute as scarcely to be perceived, they are put on the tree in May or June, and in two months attain to the size of a dog tick—the mode of preserving the insect on the plant should, however, also be attempted, especially as there is reason to doubt whether that on which the

Spanish

Spanish Coccus feeds, be the same with the *Nopal Andersonia.*

Published by order of the honourable the governor in council.

G. G. Keble,
Act. Chief Sec. to Govt.
Fort St. George, Oct. 22, 1807.

Copy of a paragraph inserted in the the general letter to Fort St. George.

"Having observed that the country ships which have had convoy from either his Majesty's or the Company's ships, have frequently quitted that protection, and thereby not only exposed themselves, but subjected the ships they have left to the risk of capture, and having had reference to the practice of quitting convoy in this country, and to the penalty attaching to ships wilfully or negligently separating; we direct that a similar regulation be adopted with all the country ships, and that the commander be required, either at the custom-house where the ship belongs, or upon his requiring convoy at any other port, to enter into a bond of 5,000 rupees, as a penalty for any separation out: in the event of its appearing to the satisfaction of the government of the presidency where the bond has been given, that the separation was not wilful or occasioned by negligence, but has been accidental or unavoidable, we shall leave it to their discretion either to mitigate or remit the penalty."

Published by order of the honorable the governor in council,

G. G. Keble, Sec. to Govt.
Fort St. George, Sept. 21, 1808.

Regulations respecting coinage.

Silver.

Fort St. George, July 15, 1807.

Public department.---Para. 1.---The right honorable the Governor in Council is pleased to publish the following order, respecting the new coinage.

2.---All the silver coinage of this presidency, coined at the Madras mint, shall be coined direct from dollars, when imported, and of dollar fineness.

3.---The dollar is estimated at eight penny weights worse than English standard, and, in consequence, the new rupee will weigh of dollar silver seven penny weights, eighteen grains, and forty-five sixty-fourth parts of a grain, English troy weight, and each thousand rupees will weigh, of dollar silver, thirty two pounds, four ounces, nineteen penny weights, seven grains, and one-eighth part of a grain English troy weight; and each rupee will contain six penny weights, twenty-two grains, and one hundred and ninety-one four-hundred parts of a grain of pure silver, English troy weight, and (each thousand rupees will contain twenty-eight pounds, ten ounces, sixteen penny weights, thirteen grains, and one half grain, English troy weight, of pure silver,) being the same quantity of pure silver as is contained in the honourable company's Arcot rupees, which have been always issued from the Madras mint.

4.---The double rupee will contain double the quantity of pure silver which the rupee does, viz. fifty-seven pounds, nine ounces, thirteen penny weights, and three grains, and be double its weight---The half rupee will contain half the quantity of pure silver as the rupee does, viz. fourteen pounds, five ounces, eight penny weights, six and three quarter grains, and be half its weight; the quarter rupee will contain one quarter of the pure silver which the rupee does viz. seven pounds, two ounces, four-

fourteen penny weights, three and three-eight grains, and be one quarter of its weight.

5.---There are also coined and issued, the following small coins, five fanam pieces, on which is inscribed their denomination in English, Persian, Gentoo and Malabar, weighing each seventy-one and three quarter grains, English troy weight; three fanam pieces, inscribed as above, weighing forty-two and three quarter grains English troy weight; two fanam pieces, inscribed as the two former, weighing twenty-eight and one half grains English troy weight---and one fanam pieces, inscribed as above, weighing fourteen and one quarter grains, English troy weight.

Published by order of the right honourable the governor in council.

G. G. Keble, Sec. to Govt.

Gold.

Public department. --- The shroffs of Madras having voluntarily proposed to government that they were willing to change the larger coins current at the following rates, viz.

	Fan.	*Cash.*
For every pagoda to give	44	70
For every half pagoda to give	22	35
For every quarter do. to do.	11	17½
For every rupee	12	65
For every half rupee	6	32½

The honourable the governor in council has been pleased to give public notice of this agreement on the part of the shroffs, who have been, and will be, supplied at the treasury with fanams and copper coins of the different denominations, to enable them to carry the same into effect.---The honourable the governor in council is also pleased to notify that the silver half and quarter pagoda pieces are to be considered not only as the currency of Madras, but of every part of the dominions of the honourable company, subject to the government of Fort St. George.

Published by order of the honourable the governor in council.

G. G. Keble,
Act. chief Sec. to Govt.

Fort St. George, Nov. 28, 1807.

Copper.

Public department. --- The honourable the governor in council, with a view to remedy the inconveniences which have hitherto been felt from the want of a proper copper coinage in the honourable company's districts under this presidency, has been pleased to issue a new coinage of copper of the following numbers, weights, values, and relative proportions to the country weights.

The double dubs are issued at the rate of twenty-four to the rupee, and are to be received and paid in all public payments. The single dubs, forty-eight to the rupee---half dubs, ninety-six to the rupee, and the quarter dubs one hundred and ninety-two to the rupee.

They will weigh as follows, viz.

(Avoirdupoise)

Double dubs 11,000 to the candy of 500lb.			
Single do. 22,000 to	do.	do.	
Half do. 44,000 to	do.	do.	
Quart. do. 88,000 to	do.	do.	
Single dub to 1 maund of 25lb. avoird.			1,100
do. to 1 viss or 3⅛		do.	137½
do. to 1 padalam or ½ viss		do.	68¾
do. to 1 yabalam or ¼ do		do.	34⅜
do. to 1 pump ⅛ do.		do.	$17\frac{3}{16}$

And in case the above copper coins, are issued at the presidency, &c. they are to measure with the star pagoda and fanam as follows.

84	Double	dubs to one pagoda.
168	Single	do. to one do.
336	Half	do. to one do.
672	Quarter	do. to one do.
$229\frac{1}{11}$	Regulating	do. to one do.

whose denominations are inscribed on them.

Three

Three single dubs and one regulating dub are equal to one fanam, six half dubs and one regulating dub are equal to one fanam, twelve quarter dubs and one regulating dub are equal to one fanam.

There are also issued the following coins, with their denomination inscribed on them in English, Persian, Gentoo, and Malabar.

40 cash piece being 208 grains, or $23\frac{146}{298}$ to the pound Avoirdupoise.

20 cash piece being 149 grains, or $46\frac{146}{149}$ to the pound Avoirdupoise.

10 cash piece being $74\frac{1}{2}$ grains, or $93\frac{143}{149}$ to the pound Avoirdupoise.

5 cash piece being $37\frac{1}{4}$ grains, or $187\frac{137}{149}$ to the pound Avoirdupoise.

And $2\frac{1}{2}$ cash pieces $18\frac{5}{8}$ grains, or $375\frac{125}{149}$ to the pound Avoirdupoise.

The honourable the governor in council has also deemed it expedient to issue a silver coinage of half and quarter pagodas of dollar silver fineness.

The weights of which are as follows, viz. a silver half pagoda will weigh three hundred and twenty-six grains and one hundred and eighty-seven two hundred and fifty-six parts of a grain English troy weight, and will be equal to one and three quarters of an Arcot rupee; and a silver quarter pagoda will weigh one hundred and sixty-three grains, one hundred eighty-seven five hundred and twelve parts of a grain English troy weight, and be equal to seven-eights of an Arcot rupee.

(Published by order of the honourable the governor in council.)

G. G. Keble,
Act. Chief Sec. to Govt.

Fort St. George, Nov. 28, 1807.

Regulation settling the relative Brevet Rank between the King's and Company's officers.

July 10.--- The following extracts of a letter from the honourable the court of directors, under date the 23d of December, 1806, is published for the information of the army.

Par. 6th. As the promotion of lieutenant-colonel Bell, of the Madras artillery, was a principal cause of the grievance complained of by the other lieutenant-colonels in our service, arising from the operations of his Majesty's warrant consequent to that promotion--- His royal highness the commander-in-chief has signified his intention to recommend to his Majesty that all the lieutenant-colonels in his Majesty's service, who have been promoted to the local rank of colonel in India, in consequence of having been superceded by colonel Bell, should return to their former rank of lieutenant-colonel, on condition that the Court shall declare, that from the day preceding the date of lieutenant-colonel Bell's promotion, no lieutenant-colonel in our service shall be permitted to hold a higher rank by regimental promotions, than that of lieutenant-colonel commandant, until he is promoted to the rank of colonel, by the general brevets granted by his Majesty to the company's lieutenant-colonels.

We therefore direct that the commissions of colonel, granted to lieutenant-colonel Bell, and to all other lieutenant-colonels in our service, who may by regimental promotion have been subsequently promoted to the rank of colonel, be recalled, and that they be denominated Lieutenant-colonels commandant; but they are to enjoy all the advantages of the command of corps they have obtained in like manner, as if they held the rank of colonel.

8th. And for the entire removal in

in future of all difficulties and embarrassments, of a nature similar to those which have occasioned the late dicussions, we direct that the following general regulations be established:

9th. That in future, when a vacancy occurs in the command of a regiment of infantry, battalion of artillery, brigade of cavalry, or the corps of engineers, the senior lieutenant-colonel, succeeding to such command, shall not, in consequence, be promoted to the rank of colonel, but shall be called lieutenant-colonel commandant of the regiment, battalion, &c. &c. until, by general brevet promotion in his Majesty's army, he become entitled to be promoted to the rank of colonel, by the date of his commission, as lieutenant-colonel in the company's service.

10th. The lieutenant-colonel commandant is, however, to enjoy the same emoluments in every respect, in obtaining the command of a regiment, &c. &c. as he would be entitled to if he had been promoted to the rank of colonel, under the regulations of 1796.

11th. This regulation will completely remove all causes of complaint in the king's lieutenant colonels, regarding the promotion of officers of that rank in our service; and, it appears to us to be the most effectual mode of doing so; at the same time it will have the additional advantage of preventing all supercession among the lieutenant-colonels in our service by the accidental promotion that has heretofore occasionally taken place of a junior lieutenant-colonel of one corps, before that of his seniors in other corps.

12th. By the establishment of this regulation, we have reason to hope his Majesty's warrant of April 1804, will be withdrawn as being no longer necessary.

Regulation adjusting the relative length of service between the officers of the Company's Ordnance and Infantry.

General Orders.

Calcutta, Oct. 12.--- Par. 183d. The relative length of service required from officers in the ordnance department, in proportion to the whole of their service in India, to entitle them to full pay on retirement, is established by your resolutions on the following principles.

184th. Those who have been twenty-seven years on actual service in India, are required to have served fifteen years as ordnance officers.

185th. Those of twenty-five years actual service in India, are required to have served eighteen years in the ordnance department.

186th. Those of twenty-two years actual service in India, are required to have served twenty-years as ordnance officers.

187th. We think, in these regulations, there is too great a disproportion to the different periods of service altogether in that required in the ordnance department, and that the following may be substituted:

188th. Commissaries, or deputy commissaries, of ordnance, not being commissioned officers, who have served, twenty-seven years altogether in India, must have served twelve years in the ordnance department.

189th. Those who have served twenty-five years in India altogether, must have been fourteen years ordnance officers.

190th.

190th. Those who have served twenty-two years in India, must have been seventeen years in the ordnance department.

Regulation respecting the passage-money of officers proceeding to sea.

Fort St. George, Oct. 13.---The honourable the governor in council is pleased to establish the following regulation for the payment of passage-money to officers proceeding to sea on duty.

1st. Every officer proceeding on duty on a ship of war, an Indiaman, or country ship, shall receive, during the period of time while he may continue on board of ship, an allowance, as passage-money, consisting of the difference between the half and full batta of his rank, and a pagoda each day exclusive of his ordinary garrison allowances.

2d. Officers proceeding on Indiamen, or country ships, shall pay the whole amount of their passage-money to the captains of those ships, in consideration of which the captains shall be required to supply those officers with accommodation, and a suitable table.

3d. Officers proceeding on a ship of war, shall make such an arrangement as may be practicable on the subject of their table, with the officers of the ward-room.

4th. List of the officers proceeding on duty as above, shall be submitted to the governor in council, by the quarter-master-general of the army, in order that authority may be given to the military auditor-general for passing charge for advance of passage-money to such an extent as the government shall consider to be expedient.

5th. This regulation shall not be understood to apply to officers returning to England on duty.

Regulation adjusting the pay of officers under suspension.

Dec. 3.---Par. 2. Having taken into our consideration the situation of military officers, who have been at different times suspended from the company's service by our governments abroad, without previous trial by a court martial, in regard to their claims to pay during such suspension; and being of opinion that it would be desirable, that some fixed rule should be established in order to remove the doubts that have hitherto been entertained upon the subject, we have resolved that officers in the predicament above-mentioned, shall be considered as entitled to the pay only of the military rank they held at the time of their being suspended by order of our governments from the time they were so suspended until we shall come to a final determination upon the cases of the officers referred to our consideration, provided we shall be satisfied that no necessary delay in our proceeding to a decision has been occasioned by the officers themselves.

Regulations relative to Cadets.

General Orders.

Fort St. George, July 14.— The right honourable the governor in council has been pleased to establish the following regulations, for the disembarkation, reception, and charge of gentlemen cadets arriving at the presidency from Europe.

1st. The commanders of the honourable company's ships casting anchor in the roads, shall be required to furnish, by the return of Catamaran, a signed list of the number and names of cadets on board for the several presidencies, that boats may be dispatched for their accommodation; and no cadets

dets shall be allowed to land, until a non-commissioned officer is sent on board to receive them and their baggage, and to conduct them to the place prepared for their reception.

2d. The gentlemen cadets for this establishment when landed, (if no officer of the cadet company is present) will be placed under the charge of an officer, who will be ordered for that duty by the commander-in-chief, --- through him only will they receive any advances of pay: he will, under the instruction of the adjutant-general, regulate their proceedings while detained at the presidency, and see the necessary arrangements promptly and properly made for their march to Cuddalore.

3d. Cadets for the other presidencies, landed at Fort St. George, will be under the immediate controul of the town-major during their detention.

4th. The master attendant has been instructed to make the necessary communications to the honourable company's ships, and he will dispatch the lists of cadets, when received, to the town-major, who will indent for the requisite number of boats, and detach a non-commissioned officer to each ship, to receive and conduct the gentlemen cadets to the adjutant-general's office.

BY GOVERNMENT.

Fort St. George, Aug. 23.—The honourable the governor in council is pleased to publish to the army the following extract of a letter recently received from the honourable the court of directors, dated 6th April, 1808.

5th. "In consequence of the representation of the Bengal government setting forth the very reprehensible conduct of the cadets at the institution at Baraset in refusing to study the native languages, we have deemed it adviseable to establish certain regulations for their leaving England.

6th. "We have accordingly transmitted you a number in the packet, a copy of the terms on which young men are admitted into our military service, and to which we require their assent before we appoint them.

7th. "The cadets have likewise delivered to them, a copy of the articles of war, and you will observe in the terms alluded to that the cadet is required upon his arrival in India to sign a declaration that he has frequently and attentively perused the articles of war during the voyage out, and that in the event of his having neglected to peruse them, he is not to be entitled to his pay, or to be considered on the strength of the army until he delivers to the government a written declaration that he has carefully perused the same.

8th. "We inclose also a copy of the declaration signed by the cadets upon their being appointed, and we trust the measures now adopted will effectually suppress that spirit of insubordination which has manifested itself among the cadets at the institution established at Baraset, and tend to check a similar disposition in the cadets at your presidency, as none will in future proceed to India without being fully apprized of the nature of their appointment, and the rules and orders to which they are expected to submit, but, if contrary to our hope and expectation, any of the cadets should evince a disposition to insubor-

subordination, we direct that you exercise the authority with which you are invested, by the suspending or dismissing them our service as the case may require, and that you immediately order those who may be dismissed to return to England at their own expense."

Terms on which Persons are admitted as Cadets into the Military Service of the Honourable United East-India Company.

"The cadet (upon his being approved of by the committee of shipping) will be ranked according to his actual departure from England, so that the sooner he proceeds to India, the higher his rank will be above those who may be appointed in the course of the same season as himself.

"On his arrival at the presidency to which he is appointed, he will enter into pay as a cadet, at four shillings and two-pence per day, and promoted to a commission in the company's army, according to his seniority in the list of rank above alluded to, provided he shall not have forfeited his claim to such promotion by any disobedience of the court's orders, or misconduct during his passage out.

"If the cadet should wish to be accommodated at the commander's table during the voyage out, he will be required to pay into the hands of Mr. Chatfield, the company's pay-master, the sum of 110*l.* for his accommodation, being 95*l.* for the commander, and 15*l.* for the owners of the ship. But if he should prefer being accommodated at the third mate's mess, he will then have to pay in the sum of 70*l.* being 55*l.* for the third mate, and fifteen for the owners. Should the cadet, after he has taken his passage, neglect going in the ship, the commander or third mate, will be entitled to retain one moiety of the passage-money paid in on their account, but the other moiety, and the 15*l.* paid in on account of the owners, will be reserved towards his subsequent conveyance, or returned to the cadet, should he resign his appointment before his departure from England. It is further expected, that the cadet will, upon his arrival in India, conform strictly to all the rules and regulations of the institutions established at the presidency, to which he is appointed, for the instruction of the cadets, and that he will endeavour to qualify himself for his future situation, by professional acquirements and by the attainment of a knowledge of the languages of the country: in failure of which he will render himself liable to be dismissed the service, and ordered back to England at his own expense.

"The cadet, upon his appearing before the committee, will be furnished with a copy of the articles of war for the company's service, and he is hereby informed that upon his arrival in India he will be required to sign a declaration, that he has frequently and attentively perused the same during the voyage out; and in the event of his having neglected to peruse them, he will not be entitled to his pay, or considered as on the strength of the army, until such written declaration is given in to the governor.

"And whereas it has been represented to the court of directors by the governments abroad, that many of the cadets at the institutions have manifested a serious disposition to insubordination towards

towards their superiors, and have been guilty of gross irregularities and ungentleman-like conduct towards each other, the cadet is hereby informed that, on his arrival in India, he is subject to martial law."

At a Court of Directors held on Wednesday the 21st January, 1808.

Resolved, — "That the commanders be likewise restrained from demanding or taking more than ninety-five pounds from any assistant surgeon or cadet, who shall be accommodated at their table during the outward-bound voyage to India, by the commander's consent, or in consequence of the orders of the court of directors, or committee of shipping, and that the sum of ninety-five pounds be exclusive of the passage-money, which will be paid the owners, by the company for assistant surgeons and cadets.

"That if it should be more convenient to any assistant surgeon or cadet, proceeding to India, to be accommodated in the third mate's mess than at the captain's table, a sum not exceeding fifty-five pounds, to be taken for such accommodation, and if the third mate, should directly or indirectly, either demand or receive a larger sum than the above, he be fined treble the amount of the excess, for the use of Poplar hospital; and that such fine be deducted from his wages, or his account of private trade, as the court of directors may hereafter be pleased to direct."

(Signed) W. Ramsay,
Secretary.

At a Court of Directors, held on Wednesday the 6th June, 1804.

Resolved, — "That upon the friends of each cadet paying the regulated amount of his passage-money to the company's paymaster, such cadet be required to sign a declaration upon honour, that he has not paid or caused to be paid, nor will not pay or cause to be paid, either directly or indirectly, by himself or by any person on his behalf, any further sum for his accommodation, either, to the commander or mate, than those prescribed by the court's regulations.

"That in the event of its appearing at any future time, that a further sum shall have been paid by or for any cadet, such cadet be placed at the bottom of the list of rank of the season in which he was appointed, and

"That these last-mentioned regulations be printed and delivered to each cadet, upon his appearing before the committee of shipping to be approved."

(Signed) W. Ramsay,
Secretary.

At a court of directors held on Wednesday the 30*th July,* 1808.

Resolved,— "That any person who shall in future be nominated to a situation, either civil or military in the service of this company, and who shall have obtained such nomination, either directly or indirectly, by purchase or agreement to purchase, through the medium of an agent, or other person, shall be rejected, and the person so nominated shall be rendered incapable of holding any situation whatsoever in the company's service; and, in the event of any person having obtained an appointment in the manner before stated, and proceeded to India previous to its being discovered, such person shall be dismissed the company's service,

and

and ordered back to England, and shall also be rendered incapable of holding any situation whatsoever in the company's service."

(Signed) W. RAMSAY,
Secretary.

Copy of the Declaration signed by the Cadets when they are appointed.

"We whose names are hereunto subscribed do acknowledge that we have received a copy of the articles of war for the military service of the honourable united East India Company, and we further declare, that we are willing to serve the said Company upon the terms which were delivered to us at the time of our admission, and will strictly conform to all the rules, orders, and regulations which have been, or may be established by the honourable court of directors, or the governor in council at the presidency to which we are respectively appointed as cadets."

The commander-in-chief is requested to give the necessary orders for ascertaining, in the manner prescribed by the honourable court of directors, whether the gentlemen cadets who arrived at this presidency by the late fleet, have regularly perused the articles of war, as directed by the honourable court.

CALCUTTA GOVERNMENT BANK.

Sept. 24, 1808.

Public Department.— The honourable the court of directors having been pleased to approve of the establishment of a bank at this presidency, and with a view of its being invested with all the privileges and immunities usually granted to corporations legally erected in England, the honourable court having obtained from the legislature the necessary powers to that effect, the following plan of a bank is published for general information.

1. A bank shall be established in Calcutta on the 1st January, 1809, to be denominated the bank of Bengal, and shall be incorporated for a term of seven years, under a charter to be granted for this purpose by the governor-general in council, by virtue of the authority vested in him by the act of George the third, section 2d, chap. 68.

2. The bank shall be established on a capital of 50,000,000 of sicca rupees, to be divided into 500 shares, of 10,000 sicca rupees each.

3. One hundred shares of 1,000,000 of sicca rupees shall be subscribed for by government, and four hundred shares by individuals.

4. The bank shall be managed by nine directors, three of whom shall be nominated by the governor-general in council, and six shall be appointed by the individual proprietors of the bank. The directors, previously to entering upon their charge, shall be sworn before the governor-general in council, to a faithful discharge of the trust reposed in them.

5. The six directors to be appointed by the proprietors, shall be elected by ballot at a general meeting of proprietors; to be held at the bank, on Thursday the 15th of December next.

6. No person shall be eligible as a director (except the three directors nominated by government) who shall not possess at least one share in the bank.

7. Armenians, Natives, and others holding shares in the bank, shall be considered eligible as directors,

rectors, under the condition prescribed in the foregoing clause.

8. Two of the directors appointed by the proprietors shall be changed annually, and after the second year, shall go out by rotation, so that no director may be continued in the situation above three years.

9. At the expiration of the first year, two of the six directors shall go out by lot, and two of the remaining four at the expiration of the second year, in the same manner.

10. The subsequent changes shall take place by rotation as above specified, but the proprietors shall be at liberty to re-elect any former director after the expiration of one year from the time of his secession from the direction.

11. The proprietors shall also be at liberty to remove any of their own directors by a plurality of votes for misconduct at any time during the period of their appointment.

12. Government will remove their own directors periodically, if they shall think it necessary or proper, but as they are proposed to be official appointments, it is to be presumed, that no individual is likely to continue in the direction for so long a period as to acquire any undue influence.

13. In the event of the death, removal, or resignation of one of the six directors, a meeting of the proprietors shall be called, within fifteen days, for the purpose of electing a successor, who shall be appointed to act as a director for the unexpired period which his predecessor was to have served.

14. The three government directors shall be certain public officers viz. a member of the board of revenue, or board of trade, one of the secretaries of the government, or the accountant-general, or deputy accountant-general for the time being, or such other officers as government may think proper to nominate.

15. The directors, when appointed, shall proceed to elect their own president, and to appoint a secretary and treasurer, and such other officers as may be found necessary, but the annual expense of the establishment shall be limited in the first instance, to the sum of sicca rupees 30,000, and this amount shall not be exceeded, except with the sanction of the proprietors to be obtained at a general meeting.

16. Each share shall entitle the proprietor to a vote as far as five shares; but beyond five, not less than two shares shall be necessary to give a vote; and no individual or company shall be allowed to hold more than ten shares, or to have more than seven votes.

17. Government shall not be considered as having a right to vote on any questions relating to the appointment or removal of the six directors, nor on any question concerning the interior management of the bank.

18. After the first six months, no person shall be allowed to vote at any general meeting of proprietors, who shall not have possessed and duly registered the share or shares, (on account of which he may claim the right to vote) for a period of three months at the least.

19. At the first meeting of the proprietors, the list of subscribers shall be produced by the treasurer of the bank to determine the right of voting, and at all subsequent meetings, a similar list shall be produced by the directors.

20.

20. In case of absence, proprietors shall be allowed to vote by proxy, the proxy producing a certificate under the signature of the proprietor, authorizing him to vote on his behalf, and all such certificates shall be preserved among the records of the bank.

21. Certificates shall be granted under the signature of the directors for the shares in the bank, and such shares shall be considered transferable by endorsement, provided that the transfer be notified, and registered in the bank-book.

22. The directors shall be competent to make such bye laws or rules for the management of the business of the bank, and for the conduct of their officers, as may appear to them necessary, provided that such rules be not repugnant to the principles on which the bank is constituted.

23. Three directors, at the least, shall be considered necessary to form a board, and in case of an equal division of votes of the members present, the president shall have a casting vote.

24. In the event of the absence of the president, from sickness, or other cause, he shall be allowed to nominate any one of the directors to preside for him during such absence, and the acting president shall be competent to exercise all the functions appertaining to the situation of president.

25. The president shall be appointed for one year only, but may be re-elected by a vote of the directors.

26. Three of the directors shall officiate alternately for one week, for the dispatch of the current business, and the general superintendence of the bank; and the signatures of three directors shall be considered necessary to all accounts, deeds, obligations, and other papers of the bank requiring attestation.

27. The office of secretary and treasurer shall be held by the same person, who, previously to receiving charge of it, shall be required to give a security, in a sum not less than 50,000 sicca rupees. The native treasurer, or khazanchy, shall also give security to an equal amount.

28. The secretary and treasurer, the head accountant, and the native khazanchy, shall be sworn to a faithful discharge of their trust, before the governor-general in council; or, should the khazanchy be of that description of persons, who are exempted from taking an oath, by the regulations of the governor-general in council, he shall be declared to sign a solemn declaration to the same effect.

29. The book of the bank shall be balanced every six months, viz. on the 30th of April and 31st of October of each year; and a statement of the balance, attested by a majority of the directors, shall at each period be submitted to government.

30. Government shall have a right to call, from time to time for any information respecting the affairs of the bank, which it may deem proper; and also to require the production of all books and papers relating thereto, or to appoint any officer or officers of government to inspect them.

31. The first dividend shall be made on the 1st of July, 1809; and after that date, a dividend shall be made every six months, viz. on the 1st of January and the 1st of July.

32. The rate of the dividend shall be determined by the directors

tors upon the ground of the actual profits of the bank, during the period for which such dividend shall be made.

33. All unclaimed dividends shall be held in deposit, payable on demand, and the directors shall not be at liberty to appropriate such dividends to the payment of demands on the bank.

34. Should any proprietor, however, who may have incurred a debt to the bank, fail in his engagements, the directors shall be at liberty to appropriate any dividends which may have become due to such proprietor at any period antecedent to the failure in his engagement, or which may afterwards become due to him, until the debt be discharged.

35. The notes of the bank shall be issued in sums not less than ten rupees, nor exceeding 10,000, and they shall be received (under certain conditions and limitations) in all payments to be made to government at their general treasury, and other offices, at the presidency; but not at any of the provincial treasuries, except with the express permission of the governor-general in council.

36. The following general rules are prescribed for the conduct of the directors.

37. They shall not grant any loans for a period exceeding three months, and they shall not renew any loans, but regularly receive payment of the amount.

38. They shall not charge interest, or discount bills, at a higher rate of interest than twelve per cent. per annum.

39. They shall not make any advances on loans to government to an amount exceeding in the aggregate at any time the sum of sicca rupees 5,00,000.

40. They shall not grant any loans to an individual, or company, to an amount exceeding at any given time the sum of sicca rupees 1,10,000.

41. They shall not grant any loans on the deposit of bank certificates, nor on the security of lands, or other real property.

42. They shall be at liberty to purchase the public securities at any future period at their discretion, provided that the government paper in their possession never exceed, at any one time, the sum of sicca rupees 25,00,000, in addition to the amount, which the bank may be required to deposit with government, as a security for the credit given to the bank by the receipt of its notes at the public treasuries.

43. The directors shall be restricted from contracting debts by bond, bill, note, or otherwise, to an amount exceeding the capital stock of fifty lacks; and if such debts shall be contracted, the directors contracting them shall be responsible for the excess in their individual capacities; but absent, or dissenting, directors shall not be responsible, provided that they give notice to the proprietors at a general meeting to be summoned for the purpose.

44 The directors shall receive deposits of bullion, jewels, and other articles of value which can be easily kept; such deposits to be restored on demand to the proprietor.

45. The directors shall also receive deposits of cash, and keep running accounts with merchants and other individuals; but they shall not be at liberty to make any advances on such account, or to grant any loans without adequate security, such as company's paper

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(blank or specifically endorsed) to an amount at least equal to the loan; or on bullion, plate, jewels, or general goods, not perishable, or liable to great alteration in the value. No advance, however, shall be made on goods to an amount exceeding one-half of their estimated value.

46. Should any person overdraw his account with the bank, he shall be liable to the payment of a fine of one per cent. on the amount of his draft, which shall be charged in his account, and the draft shall be at the same time rejected. This rule shall not, however, be enforced, if such person shall have deposited security, and received the permission of the directors to draw upon the bank.

47. Should the treasurer allow any person to overdraw his account, he (the treasurer) shall be personally responsible for the excess.

48. The bank shall be considered as absolutely precluded from trade, and any directors infringing this fundamental rule, shall be liable to dismissal, and to such other penalties as it may be found practicable to enforce, but this restriction shall not be considered as precluding the directors from receiving articles of merchandize in deposit as security for loans, as specified in clause 45.

49. The bank shall not be allowed to act as agents or brokers for the purchase or sale of company's paper, or goods, or property of any kind; but this prohibition shall not be considered as applying to the sale of paper, or other property, which may be pledged to them as security for loans.

50. The principal officers of the bank, the secretary and treasurer, the head accountant, and the native khazanchy, shall also be restricted from trade; nor shall these officers be allowed to act as agents or brokers, or to engage in any separate business whatever, but they shall strictly confine themselves to their duty as officers of the bank.

51. The directors shall not be at liberty to grant any new loans, or to discount bills, when the cash in hand may not amount to one-third of the amount of the notes, and other claims outstanding payable on demand.

52. The business of the bank shall be confined as much as possible to discounting bills of exchange and other bills, and to granting loans for short periods (adequate security being taken in every instance) for the accommodation of merchants, and the general convenience of the public.

53. The directors shall be required to submit annually to the proprietors, on the first Monday in June, a general account of the transactions of the bank, for the preceding year, to be closed on the 30th of April, and they shall accompany it with such a report as may be necessary for their information. A copy of the account and report, attested by the directors, is to be transmitted annually to government, on, or before, the 15th of June.

54. A general meeting of the proprietors shall be held for taking into consideration the account and report alluded to in the preceding clause, and any three directors shall be at liberty, at all times, to summon a meeting of proprietors for any special purpose, giving not less than fifteen days notice in the Calcutta Gazette.

55. Should the conduct of a director, or any transaction at the bank, or other circumstance appear

to

to the proprietors (or to any number of them) to render a general meeting of proprietors necessary or expedient, they shall be at liberty (provided the number be not less than ten) to summon a general meeting, by giving fifteen days notice in the Calcutta Gazette.

56. Should the conduct of any of the government directors appear to the proprietors on any occasion of so objectionable a nature as to render it unsafe or improper, that such director or directors should be continued in so important a trust, they shall be at liberty to represent the circumstances of the case to the governor general in council, who will either order the removal of the director or directors, or take such other measures for the satisfaction of the proprietors as may appear to him just and proper.

57. Should it hereafter be deemed advisable to increase the capital stock of the bank, the proprietors shall be allowed to subscribe for the additional stock, in proportion to the interest which they respectively hold in the bank at the time, but should they not avail themselves of this option, a public subscription will be opened for the purpose of raising the funds which may be required.

58. The foregoing plan differing in several respects from the plan under which the original subscription was made, the present proprietors shall be at liberty to withdraw from the establishment, on their signifying their wish to do so on or before the 20th of November next, by a letter, to be addressed to the secretary to the bank; and proprietors so withdrawn, shall receive payment of their subscriptions, with interest at the rate of 10 per cent. per annum, to the 1st of December next, when such payment will be made at the bank to the party or his constituted attorney.

59. In order to provide for filling up the shares which may remain unoccupied by parties so withdrawing themselves, applications in writing will be received by the secretary to the bank, for such shares on or before the 15th November next; and the parties applying shall be admitted to subscribe eventually in the order in which their applications may be received.

60. Subscriptions which may be receivable under the foregoing clause, shall be paid into the bank, on the 30th of November next, in one gross sum, or the sum of 10,000 sicca rupees for each share.

Published by order of the right honourable the governor-general in council.

THOS. BROWN.
Chief Sec. to Govt.

Seringapatam Prize-Money.

Madras, Aug. 20. — The honourable the governor in council has been pleased to resolve, that a dividend of Seringapatam prize-money, arising from the value of captured ordnance and stores, and from the balance of prize-property due by the prize-agents, shall be issued in the following proportions corresponding with those distributed at Seringapatam.

	Of a Share.	Pagodas
Naig, sepoy, trumpeter, drummer, black doctor, pioneer, gun lascar, and authorized puckally, 2-3ds of - - - - -	1	12
Havildar and 2d tindal of gun lascars, - -	1	18
Jemidar, standard bearer, and 1st tindal of gun lascars, - - - -	2	36
Subidar and syrang of gun lascars, - - - -	6	108

Corporal,

	Of a Share,	*Pagod.*
Corporal, trumpeter, drummer and private Europeans, - - - -	1	18
Serjeant, - - - - -	2	36
Serjeant-major, sub-conductor, sub-assistant surgeon, and park serjeant, - - - - - -	3	54
Warrant officer: comprehending, quarter-master of dragoons, conductor of stores, and provost marshal, - - - - -	15	270
Subaltern: comprehending, lieutenant, cornet, lieutenant fire worker, ensign, assistant surgeon, adjutant and quarter master, with commissions only as such,	60	1080
Captain, surgeon, brigade major aid-de-camp, chaplain and paymaster of parts of the army. -	120	2160
Major, deputy adjutant-general, deputy quarter-master-general, judge-advocate general, paymaster of the army, head surgeon of the army, principal agent for cavalry supplies, deputy commissary-general of ordnance, paymaster and commissary of the Bombay army, Superintending field surgeon of the Bombay army, superintendant of supplies, captain Malcolm commanding the Nizam's contingent, -	240	4320
Lieutenant colonel, adjutant general, and quarter master general to the Bombay army, - - - - - - -	360	6480
Colonel, - - - - - -	600	10,800
General officers on the staff, - - - - - - -	1500	27,000
Major general Floyd, second in command of the army, and commanding the cavalry, 1-3d more than - -	ditto	36,000
The commander-in-chief, one-eighth of the whole, - - - - -		324,907

The following are the corps, &c. entitled to share.

1st. The troops composing the detachments under the command of lieutenant-colonels Brown and Read, who were above the Ghauts on the 5th May, 1793, or who were left on duty in garrison below the Ghauts, captured from the enemy.

2d. The Bombay Grenadier battalion.

3d. Individuals, whose claims on the prize fund have been admitted by the supreme government, and by the government of Fort St. George.

The governor in council has been pleased to establish the following arrangement for the distribution:—

All commissioned European officers entitled to share as above, the agents of such officers returned to Europe, the heirs or administrators of such as are deceased, to transmit abstracts in duplicate for their respective shares of prize money to the board of officers assembled at Fort St. George.

The board of officers after comparing those abstracts with the original prize rolls, will pass, by the signature of their secretary, one of the abstracts for payment, deducting all advances of prize property, which may already have been made to the claimant, and return the abstract so passed to the person by whom it was transmitted, who will present it for payment to the nearest military paymaster. The duplicate abstracts to be retained by the board of officers for the purpose of being annexed as vouchers to their final settlement of the prize accounts.

Officers commanding stations, corps or detachments, (or such officers

officers to whom the duty particularly belongs) to make out duplicate abstracts for the European non-commissioned, privates, &c. and for the Native commissioned, non-commissioned, privates, &c. now alive and in the service, who may be entitled to share in the present dividend of Seringapatam prize money; such abstracts to be transmitted to the board of officers, who will pass them for payment, as above directed, and return one of them to the officers by whom they were transmitted, who will draw the amount from paymasters, and distribute it amongst the claimants.

Committees of European officers to be assembled at every station for the purpose of investigating the claims of soldiers invalided, pensioned, or discharged, and of ascertaining the nearest heirs of deceased soldiers, who were entitled to participate in Seringapatam prize. The proceedings of those committees are to be submitted to commanding officers of stations, by whom they will be transmitted, with abstracts in duplicate, for the amount of the claims, which shall be recognized by the committee, to the board of officers at the presidency, who will pass and return the abstracts for payment, in the manner above directed.

In order to secure the public from being exposed to loss by the introduction of fictitious claims, it is particularly directed, in making out the abstracts, and the proceedings of committees specified in the two last paragraphs, that the greatest attention be paid to the insertion of every kind of information which may tend to establish the claim of each individual; where a certificate or other official document, shewing the right of an individual to share in the Seringapatam prize, is produced, the transmission thereof along with the abstracts will be sufficient to establish the claim, unless it can be proved that the claimant afterwards deserted from the service; but where such documents are wanting, the oaths of respectable persons may be taken in support of the claim, and the following particulars, or such of them as can be collected, must be inserted in the abstracts, and in the proceedings of committees, viz.

In the case of a soldier now alive, who may still belong to the effective establishment, who has been transferred from one corps to another, or who may have been invalided, pensioned, or discharged, notice must be taken of his name, rank, corps, company, and number, as he stood on the rolls at the period of the capture of Seringapatam, and if he should afterwards have been removed from corps to corps, or been invalided, pensioned, or dicharged, the date of such casualty must be inserted.

In the case of claims made by the heirs of deceased soldiers, the particulars (regarding the deceased,) as stated in the preceding paragraph, will generally be required to be inserted in the proceedings of the committees; as also the date of decease, the name of the heir, and the nature of relationship entitling him (or her) to claim the property, with the place of his (or her) present residence.

Military paymasters are hereby directed to discharge all abstracts for

for Seringapatam prize money, which shall have been passed for payment by the board of officers assembled at Fort St. George, and to transmit them to the military paymaster general, who will bring them to account in a book to be opened under the head of "Seringapatam prize."

On a subject of so much importance to the interests of the public and a considerable part of the army, the honourable the governor in council trusts, that the utmost attention will be paid to the foregoing orders, by all officers who may be called upon to carry them into effect.

CIVIL APPOINTMENTS, &c.

BENGAL.

JUNE, 1807.

Mr. R. W. Cox, commissioner for superintending the settlement in the ceded and conquered provinces.

Mr. H. S. G. Tucker, do. do.

Mr. J. W. Sherer, secretary, and accountant to board of commissioners for do.

Mr. J. Fortescue, sub-secretary, and sub-accountant to do.

Mr. W. B. Bayley, Persian and Hindoostanee translator to the commission.

Capt. J. Baillie, resident at Lucknow.

AUGUST.

Hon. J. E. Elliot, private secretary to the right honourable the governor general.

Sir G. H. Barlow, chief judge of the courts of Sudder Adawlet, &c. &c.

Sir G. H. Barlow, president of the board of revenue.

J. Lumsden, esq. president of the board of trade.

Mr. C. Lloyd, collector at Moradabad.

Mr. W. J. Sands, do. at Bareilly.

Mr. A. Ross, do. at Allahabad.

Mr. G. Barnett, assistant to collector of Dacca.

Mr. G. Udney, member of the board of trade.

Mr. J. Taylor, attorney to the honourable company.

SEPTEMBER.

Mr. Salter, register, provincial court of appeal, &c. Benares.

Mr. D. Scott, register to the court at Goruckpore.

Mr. C. W. Gardiner, assistant to the secretary to government.

Mr. G. Siddons, assistant to the secretary to the board of trade.

Mr. W. H. Trant, assistant to secretary to the board of commission, in the ceded provinces.

Mr. E. Parker, collector of Jessore:

Mr. H. Dawes, assistant to collector of Nuddea.

Mr. R. T. I. Glyn, assistant to magistrate, at Benares.

Mr. R. B. Gardiner, assistant to do. at Dacca.

OCTOBER.

Mr. J. Winth, second judge of provincial court of appeal, &c. for divison of Calcutta.

Mr. D. Campbell, third judge of do. do.

Mr. A. Wright, judge and magistrate, &c. at Rajeshany.

Mr. J. Pattle, judge and magistrate, &c. at Dinagepore.

Mr. W. Spedding, do. do. at Cawnpore.

Mr. J. Wauchop, superintendant of revenues, Delhi.

Mr. W. Lock, reg. of court of Adawlet, &c. Bundlecund.

Mr. S. Bird, jun. reg. to court of Adawlet, &c. &c. city of Dacca.

Mr. C. R. Martin, reg. of Adawlet, &c. zillah of Dacca.

Mr. R. Strachey, deputy snperintendant at Chandernagore, &c. &c.

Mr. C. Russell, judge and magistrate, at Cawnpore.

Mr. C. Elliott, collector at Allyghur.

Mr. H. Trant, reg. of the courts at Bareilly.

Mr. C. W. Steer, reg. of the zillah court, do.

Mr. H. Oakley, assistant to collector of the 24 Pergunnahs.

Mr. H. Wood, head-assistant to accountant general.

NOVEMBER.

Mr. E. Maxwell, register of court of Adawlet, Chittagong.

Mr. R. B. Bennett, assistant commissioner, Rungpore.

Mr.

Mr. R. B. Gardiner, assistant to magistrate, city of Dacca.
Mr. C. Carey, register of Dewannee Adawlut, &c. &c. the Jungle Mohauls.

DECEMBER.

Mr. W. B. Bailey, register of Sudder Dewannee Adawlet, &c. &c.
Mr. J. Walker, deputy reg. to do. and translator of regulations.
Mr. H. Turnbull, first assistant to register to do.
Mr. W. Dorin, second assistant to do.
Mr. H. Somerville, collector, Dacca.
Mr. J. Erving, register of provincial court of appeal and circuit, Dacca.
Mr. J. Miller, judge and magistrate, Furruckabad.
Mr. C. T. Sealy, do. Ramghur.

JANUARY, 1808.

Mr. J. Sandford, judge of the Dewannee Adawlet, and magistrate Bhaugulpore.
Mr. W. E. Wynch, collector of Dinagepore.
Mr. J. Parr, puisne judge of the court of Sudder Dewannee Adawlet, &c.
Mr. J. Parry, resident at Fort Marlborough.
Mr. J. Thornhill, acting secretary to government, military department.
Mr. W. Farquhar, acting secretary to the board of trade.
Mr. J. I. C. Plowden, assistant to collector of customs, Calcutta.
Mr. W. Money, acting assistant to secretary to board of trade.
Mr. H. I. Colebrook, chief judge of the court of Sudder Dewannee Adawlet, &c. and president of the board of revenue.
Mr. G. I. Siddons, assistant to resident at Fort Marlborough.
Mr. F. Vansittart, collector of government customs, Dacca.
Mr. J. French, collector, Sylhet.
Mr. J. Digby, register of Dewannee Adawlet, &c. at Bhaugulpore.
Mr. J. S. Colebrooke, member of commission for settlement of the ceded provinces.
Mr. J. Deane, do. do.
Mr. R. Ker, third judge of the court of appeal, &c. Bareilly.

FEBRUARY.

Mr. W. Roxbourgh, superintendant of spice plantation, Sumatra.
Mr. J. Money, acting secretary to board of trade.
Mr. W. Farquhar, commercial resident Bauleah.
Mr. R. Rocke, first judge of appeal and circuit, Calcutta.
Mr. C. Oldfield, second judge of do. do. Moorshedabad.
Mr. G. Strachey, third judge, do. do.
Mr. J. D. Patterson, judge and magistrate, Dacca.
Mr. J. Rattry, do. Dacca, Jelalpore.
Mr. F. Law, judge and magistrate, Jessore.
Mr. R. O. Wynne, collector, Chittagong.
Mr. F. Gladwin, commissary resident, Patna.
Mr. J. G. Colebrook, sen. member of board of revenue.
Mr. F. Hawkins, second judge of appeal and circuit, Patna.
Mr. C. Smith, third judge, do. do.
Mr. J. Stuart, third judge, do. do. Benares.
Mr. S. Maccar, judge and magistrate, Benares.
Mr. H. Parry, do. do. Nuddeah.
Hon. J. R. Elphinstone, do. do. Behar.
Mr. R. Graham, do. do. Jaunpore.
Mr. G. Oswald, do. do. Tirhoot.
Mr. G. Webb, judge and magistrate, Cuttack.
Mr. H. Cornish, judge and magistrate, Purneah.
Mr. G. Ravenscroft, judge of twenty-four Pergunnahs.
Mr. J. Donnithorne, collector, Furruckabad.
Mr. C. D. Oyle, collector, Dacca.
Mr. C. Trower, do. Burdwan.
Mr. W. Armstrong, do. Nuddea.
Mr. H. T. Travers, do. Midnapore.
Mr. F. Farquier, do. Cuttack.
Mr. J. J. B. Proby, superintendant of stamps.
Capt. J. W. Taylor, professor of Hindostanee in the college of Fort William.
Lieut. A. Locker, assistant to secretary to the college, and examiner.
Peter Speke, esq. president of marine board.
J. Taylor, esq. member of do.
C. Thornhill, do. do.
C. H. Churchill, paymaster and storekeeper.
Lieut. R. Scott, first assistant to master attendant.
Mr. J. Colie, second assistant to do.

MARCH.

Mr. H. Shakespear, register zillah court, Nuddea.
Mr. W. Ewer, do. at Rajahshaye.

Mr.

Mr. H. Dawes, do. at Rhamghur.
Mr. A. F. Tytler, assistant to register court of appeal and circuit, Calcutta.
Mr. A. J. Colvin, assistant to collector, Benares.
Mr. W. Lindsay, assistant in Persian secretary's office.
Mr. R. Alexander, assistant to secretary in secret, political, and foreign department.
Mr. T. Sisson, assistant to magistrate, Behar.
Mr. J. M. M'Nab, assistant to collector Behar.
Mr. G. R. Barwell, assistant to magistrate of city of Dacca.
Mr. E. Bagge, assistant to magistrate, Berbhoom.
Mr. W. C. Chalmers, assistant to magistrate, Mirzapore.
Mr. J. Mason, assistant to agent at Hidgelle.
M. G. Ellice, assistant to commissary resident, Cossimbazar.
Mr. G. Warde, assistant to magistrate, Nuddeah.
Mr. W. F. Dick, assistant to magistrate, Patna.
Mr. S. T. Cuthbert, assistant to accountant-general.
Mr. W. Lambert, assistant to magistrate Midnapore.
Mr. J. Inglis, assistant to magistrate, Burdwan.
Mr. W. Thomas, assistant to magistrate, Chittagong.
Mr. T. Fortescue, secretary to commissioner for the ceded provinces.
Mr. H. Trant, accountant to do.
Mr. H. Newman, assistant to do.
Mr. H. St. J Tucker, supernumerary member of the board of revenue.
Mr. W. Rennell, register zillah court, Backergunge.

APRIL.

Mr. J. Thornhill, secretary to government, military department.
Mr. J. Money, secretary to board of trade, commercial department.
Mr. Braddon, assistant to magistrate, at Purneah.

MAY.

Mr. C. Mackenzie, assistant to secretary to board of trade.
Mr. E. Barnett, register of zillah court, twenty-four Pergunnahs.
Mr. J. Hunter, assistant to commercial resident, Midnapore.
Mr. B. Crisp, acting judge of the courts of Sudder, Dewannee, Adawlet, &c.
Mr. J. Brooke, sen. judge of appeal and circuit, Bareilly.
Mr. W. T. Smith, second judge of appeal and circuit, Benares.
Mr. J. D. Erskine, judge and magistrate, Allahabad.
Mr. J. Wauchope, collector, Bundlecund.
Mr. E. Parry, register of court of appeal and circuit, Bareilly.
Mr. J. G. Roberdeau, register of zillah court, Mymensing.
Mr. H. Dawes, assistant collector, Furruckabad.

JUNE.

Mr. E. Watson, judge and magistrate, city of Benares.
Sir. A. Seton, bart. collector, Shahabad.
Mr. R. Walpole, register to court, at Ramghur.
Mr. T. Packenham, assistant to magistrate at Hooghly.
Mr. R. Bathurst, commercial resident, Culpee.

JULY.

Mr. D. Campbell, collector, Moorshedabad.
Mr. I. T. Shakspear, sub. secretary to board of revenue.
Mr. A. Campbell, head assistant to secretary to do.
Mr. P. Monckton, second assistant to do.

AUGUST.

Mr. H. Turnbull, deputy register to the court of Sudder Dewannee Adawlut, &c.
Mr. W. Dorin, first assistant to register to do.
Mr. R. Brown, second assistant.

SEPTEMBER.

Mr. R. Becher, to take charge of salt agency, Tumlook.
Mr. J. King, do. Hidglee.
Mr. J. Irwin, do. Cuttack.
Mr. J. Leyden, third commissioner court of requests.
Mr. J. Evans, acting post master general.

OCTOBER.

Mr. J. Pattle, judge and magistrate of the zillah of Rajeshaye.
Mr. G. Oswald, judge and magistrate of the zillah of Dinagepore.
Mr. A. Wright, judge and magistrate of the zillah of Tirhoot.
Mr. H. Parry, judge and magistrate of the zillah of Tipperah.
Mr. Eliot, judge and magistrate, of the zillah of Nuddeah.

Mr.

Mr. W. Trower, deputy collector of government customs at Agra.

NOVEMBER.

Mr. N. J. Halhed, first assistant to the magistrate of the 24th pergunnahs.

Mr. C. Patton, judge and magistrate of the district of Jessore.

Mr. R. Cunynghame, judge and magistrate of the district of Tirhoot.

Mr. A. Ross, judge and magistrate of the district of Allyghur.

Mr. A. Wright, collector of the district of Saharunpore.

Mr. R. Martin, collector of the district of Agra.

Mr. J. Patton, magistrate of the northern division of Seharunpore.

Mr. R. Ricketts, deputy collector town Duties Calcutta.

Mr. C. Carby, reg. of the Dewannee Adawlet, &c. Beerboom.

Mr. E. Impey, reg. of zillah court of the Jungle Mehaus.

Mr. E. W. Blunt, collect. govt. cust. Furruckabad.

Mr. C. Ross, collector, Agra.

Mr. J. Law, collector, Allahabad.

MILITARY PROMOTIONS, &c.

BENGAL.

JUNE, 1807.

Major Stevenson, major of brigade, appointed agent for the purpose of cavalry horses. Senior lieut. col. Samuel Bradshaw, to be colonel, vice Collins, deceased. Senior major John Cambell, to be lieut. col. vice Bradshaw, promoted.

8th Reg. N. I. Senior cap. J. Burnet, to be major, vice Campbell, promoted. Captain lieut. J. Owen, to be captain of a company. Lieut. W. P. Anderdon, to be capt. lieut. Ensign M. C. Paul, to be lieut.

10th Reg. N. I. Senior Ensign R. C. Faithful, to be lieut. vice Kennaway, deceased.

19th. Reg. N. I. Lieut. W. Ledlie, to rank from 1st July, 1806, promoted. Mr. surgeon Dalton to the charge of the lunatic hospital at the presidency. Mr. surgeon Stewart to do duty with the court of circuit and appeal at *Chittoor*.

JULY.

13th Reg. N. I. Ensign J. Wood to be lieut. vice Hudson, deceased. Senior as. surgeon Michael Cheese, to be full surgeon. Mr. G. G. Campbell, as. surgeon of the 11th Reg. N. I. is appointed as. surgeon of Fort William. Capt. W. Hopper, of the Regiment of artillery, is appointed commissary of ordnance at Cawnpore, vice Ahmuty, removed.

AUGUST.

Cap. T. W. Taylor, 56th regiment, to be military secretary, and aide de camp to the governor general. Lieut. col. D. T. Richardson, of the 17th reg. N. I. Capt. A. Campbell, of the 5th reg. N. I. and Lieut. Stewart, Royal Engineers, to be his lordship's aides de camp. Major general St. Leger to the staff of this Presidency.

6th Reg. N. I Capt. R. Swinton, to be major. Capt. lieut. R. Fry, to be captain of a troop. Lieut. Howarth, to be captain lieut. Cornet C. Fitzgerald, to be lieut.

Infantry. Senior Major G. H. Pine, to be lieut. colonel. Senior major W. Bedell, to be lieut. colonel.

11th Reg. N. I. Cap. C. Stewart, to be major. Capt. Lieut. P. Byres, to be captain. Lieut. Robertson, to be capt. lieut. Ensign W. H. Squire, to be lieut.

27th Reg. N. I. Capt. W. S. Greene, to be major. Capt. lieut. M. Keating, to be captain.

The following officers, who have been promoted to the rank of colonel regimentally on this establishment, subsequent

quent to the 3d of April, 1804, to be recalled; and that each of those Officers be appointed and denominated lieutenant colonel commandant from the dates respectively on which they were previously promoted to the rank of colonel.

Lieut Col. John Mc Intyre, Artillery, May 1, 1804.
John Gordon, Cavalry, Ditto.
Wm. Kirkpatrick, Infantry, June 30.
John Gardiner, Ditto Sept. 21.
Henry De Castro, Ditto Ditto do.
Bennet Marley, Ditto Ditto do.
William Burn, Ditto Ditto do.
Thos. Hawkeshaw, Ditto Ditto, 28.
Nicholas Carnegie, Artillery, Nov. 12.
T. S. Bateman, Cavalry, March 11, 1805.
John Horsford, Artillery, August 1.
Dyson Marshall, Infantry, October 20.
Dan Coningham, Ditto, Nov. 14.
Samuel Bradshaw, Ditto, June 12, 1807.

The officers thus appointed Lieut. colonels commandant will revert to their relative rank and standing on the list of the army according to the dates of their commissions as lieut. colonels.

Dates of rank and relative standing of the lieut. colonels of the Bengal establishment, whose situations have been affected by the orders of the honorable the court of directors for cancelling all promotions to the rank of colonel regimentally, since the 3d day of April, 1804.

LIEUTENANT COLONELS.

William Kirkpatrick, January 1, 1798.
John Mc Intyre, Ditto, Artillery.
John Gardiner, Ditto, Infantry.
Henry De Castro, Ditto Ditto.
Bennet Marley, Ditto Ditto.
William Burn, Ditto Ditto.
Thomas Hawkeshaw, Ditto Ditto.
Dyson Marshall, Ditto Ditto.
Danl. Coningham, Ditto Ditto.
John Garstin, Ditto Engineers.
Samuel Bradshaw, Ditto, Infantry.
George Wood, Ditto Ditto.
John Haynes, Ditto Ditto.
Nicholas Carnegie, January 1, 1800, Artillery.
John Horsford, Ditto Ditto.
John Gordon, Oct. 5, ditto, Cavalry.
T. S. Bateman, Nov. 13, Ditto Ditto.

SEPTEMBER.

Senior Major J. McGrath, to be lieut. col. vice Wade, deceased.

10th Reg. N I. Capt. D. Lyons to be major. Capt lieut. H. Bowen to be capt. Lieut. F V. Raper to be capt. lieut. Ensign R Beecher to be lieut.

6th Reg. N. I. Capt. A. Adams to be major, vice Benson, invalided. Capt. lieut. S Fraser to be capt. Lieut J. Campbell to be capt. lieut. Ensign R. Basset to be lieut.

Engineers. Ensign J. H. Jones to be lieut. Senior Ens. T. Wilson, to be lieut. vice Preston, deceased. Capt. T. Wood, appointed executive officer of Fort William. Colonel Alexander Kyd, of engineers, to receive charge of the engineer department from lieut. colonel Garstin, and to have a seat at the military board.

OCTOBER.

Lieut. J. Canning, 27th Reg. N. I. to the command of the Moorshedabad provincial battalion.

5th Reg N. I. Captain R. Willoughby, to be major, vice Brenan deceased. Capt lieut. H. Huthwaite, to be capt. of a company. Lieut G Patrickson to be capt. lieut. Ensign J. Trist to be lieut.

7th Reg. N. I. Lieut T. Lowry to be capt. lieut. Ensign E. Alexander to be lieut.

Lieut. General Hewett to be commander in chief in India.

NOVEMBER.

Senior major J. C. Mitchell to be lieut. colonel, vice Burrows, deceased.

14th Reg. N. I. Capt H. Imlack to be major. Capt. lieut. J. W. Taylor to be capt. Lieut W. Colt to be capt. lieut. Ensign W. Coles to be lieut.

DECEMBER.

The Reverend R. Jeffreys, to be chaplain at the station of Futtyghur. The reverend W. Eales, to be chaplain of the garrison of Fort William. Mr. S. Ludlow, assistant surgeon at the civil station of Banda. Mr J. J. Gibson, to be the assistant surgeon at Rungpore. Major James Tetley, to be lieut. col. vice Burrowes, deceased.

9th Reg. N. I. Capt. lieut. W. Fogo, to be capt. of a company, vice Brown, deceased. Lieut. F. Fernyhough to be capt. lieut. Ens. William H. Dixon and William R. Hardwick, to be lieuts.

11th Reg. N. I. Ens. N. De Lisle, to be lieut.

21st Reg. N. I. Capt. W. Nicholl to be major. Capt. lieut. Cock, to be capt. Capt lieutenant J. Vaughan to be capt. vice Nicholls, promoted. Lieut. W. Baker, to be capt. lieut. Ens. D. Williamson, to be lieut. Ens. R. B. Wilkins, to be lieut.

23d

23d Reg. N. I.—Ens. A. M'Neilly, to be lieutenant.

24th Reg. N. I. — Ens. J. Cruikshank, to be lieut. from the 17th November, 1807.

17th Reg. N. I.—Capt. J. Rotton, to be major, vice White, deceased. Capt. lieut. J. Wells Fast, to be capt. Lieut. L. Landeg, to be capt.-lieut. Ens. H. B. Clough, to be lieutenant.

8th Reg. N. I.—Ens. J. Fagan, to be lieut.

Dr F. Buchanan, to be a presidency surgeon. Capt. T. Dowell, to be commissary of stores. Capt. J. D. Sherwood, to be assistant to the commissary of stores.

19th Reg. N. I.—Capt.-lieut. W. Logie, to be capt. Lieut. J. Alexander, to be capt.-lieut. Ens. J. Cowslade, to be lieut. Sen. assist.-surgeon C. Robinson, to be surgeon. Mr. J. J. Jamieson, assistant-surgeon.

JANUARY, 1808.

Lieut.-col. T. Hawkins, to be deputy adjutant general.

26th Reg. Native Infantry.—Capt. W. Cuppage, to be major, vice Henry, deceased. Capt.-lieut. J. Wilson, to be captain. Lieut. A. T. Watson, to be captain-lieutenant. Ens. G. Kingstone, to be lieutenant.

FEBRUARY.

5th Reg. Native Infantry.— Cap. D. V. Kerin, to be major, vice Willoughby, invalided. Capt.-lieut. W.G. Patrickson to be captain of a company. Lieut. G. Cooper, to be captain-lieutenant. Ens. A. Gordon to be lieutenant.

5th Reg. N. C.— Cornet D. Harriott to be lieutenant, vice Yates, resigned.

Artillery.— Lieut. fire worker C. H. Bell, to be lieutenant, vice Bromley resigned.

11th Reg. N. I.—Ens. J. W. Jones, to be lieutenant, vice Squire, resigned.

16th Reg. N. I.—Ens. G. J. Hendy, to be lieutenant, vice Hobkirk, resigned.

17th Reg. N. I.—Capt.-lieut. J. Orrok, to be captain of a company, vice Landeg, invalided. Lieut. C. F. Stewart, to be captain-lieutenant. Ens. J. Stewart, to be lieutenant. Major L. Burrett, to be Lieut-colonel, vice Marsden, retired.

15th Reg. N. I.—Capt. H. Cheape, to be major. Capt.-Lieut. N. P. Grant, to be capt. Lieut. W. Burgh, to be capt.-lieut. Ens. G. P. Greene, to be lieutenant.

MARCH.

25th Reg. N. I. — Capt. G. H. Fagan, to be deputy adjutant-general. Major G. Dick to be lieut.-col. vice Burnett, deceased.

22d Reg. N. I.—Capt. P. Grant, to be major. Capt.-lieut. C. Reddish, to be captain. Lieut. L. H. Davy, to be capt.-lieut. Ens. R. Newton, to be lieutenant.

APRIL.

1st Bat. 20th Reg. N. I.— Capt. L. Wiggins, to be supernum. aid de camp to the governor-general.

MAY.

Infantry.—Lieut.-col. G. Wood, to be lieut.-col. commandant, vice Fenwick, deceased. Major H. Lennon, to be lieut.-col. vice Duff, retired. Major J. Cunningham, to be lieut.-col. vice Wood.

E. R. — Capt. J. M. Weguelin to be major. Capt.-lieut. J. D'Broughton, to be capt.-lieut. J. Stewart to be capt.-lieut. Ens. M. J. Hogg, to be lieutenant.

12th Reg. N. I.—Capt.-lieut. B. Ryan, to be captain, vice Kelly, retired. Lieut. P. L. Grant, to be capt.-lieut. Lieut. C. Fag, to be capt.-lieutenant. Ens. A. Farrier, to be lieutenant.

18th Reg. N. I.—Capt. J. H. Smith, to be major, vice Lennon. Capt.-lieut. C. Fagan, to be Captain-Lieut. W. Corbier, to be capt.-lieut. Ens. B. W. Baily, to be lieutenant.

Assistant surgeons, S. Durham, J. M'Dowall, and C. Hunter, to be surgeons, vice Stokes and Harper, retired.

13th Reg. N. I.—Capt. W. G. Maxwell, to be deputy judge-advocate-general in the field.

JULY.

6th Reg. N. I.—Capt. M. Mackleod, to command the cadet company. Capt. J. Ludlow, to command the Burdwan, provincial battalion.

SEPTEMBER.

Capt.-lieut. J. Stuart, to be captain of a company, vice Weguelin, promoted. Lieut. J. Chatfield, to be captain-lieute

lieutenant. Lieut. E. Morris, to be captain-lieutenant, vice Chatfield, deceased. Ens. G. Walpole, to be lieutenant, vice Stuart, promoted. Ens. M. S. Hogg, to be lieutenant, vice Walpole, deceased. Ens. J. Jeffry, to be lieutenant, vice Chatfield, promoted. Ens. A. Young, to be lieutenant, vice Morris, promoted.

OCTOBER.

Artillery. — Major A. Hynde, to be lieutenant-colonel, vice Balfour, retired. Cap. G. Raban, to be major. Capt.-lieut. W. Richards, to be captain of a company. Lieut. W. Battine, to be captain-lieutenant, Lieuts. F. W. O. Bernard and J. E. Debrett, to be lieutenants.

Engineers.—Ens. Teckell, to be lieutenant, vice Wilson, retired.

14th Reg. Native Infantry. — Capt.-lieut. W. Colt, to be captain of a company, vice Gerard, retired. Lieut. W. Ball, to be captain-lieutenant. Ens. J. Campbell, to be lieutenant.

23d Reg. Native Infantry. — Ensign E. T. Walker, to be lieutenant, vice Meyric, deceased.

NOVEMBER.

20th Reg. Native Infantry.—Major T. Shuldham to be lieut.-colonel, vice Colebroke, deceased. Cap. U. Yuly, to be major. Capt.-lieut. L. Wiggins, to be captain. Lieut. J. McInnis, to be captain-lieut. Ens. J. Brookes, to be lieutenant.

CIVIL APPOINTMENTS, &c.

MADRAS.

JANUARY, 1807.

Mr. J. Hadow, assistant under the chief secretary to government.

Mr. C. E. Stewart and Mr. D. Hill, assistants to the collector of Malabar.

Mr. H. Vibart, assistant to the collec. of the zillah of Gangam.

Mr. H. Lord, judge and magistrate of Vellore.

Mr. D. Craufurd, do. do. of Guntoor.

Mr. J. Byng, do. do. — of Ganjam.

Mr. S. Skinner, do. do.—of Rajahmundry.

Mr. G. F. Cherry, assistant to the register of the Zillah court of Tinnevelly.

JULY.

Mr. J. Gahagan, assistant under the collector of Canara.

Mr. J. H. Cassamajor, chief judge of the court of Sudder and Fouzdarry Adawlet.

Mr. E. Wood, register to ditto.

Mr. R. Meggison assistant to secretary of the revenue board.

Mr. H. Combe, do. do.

Mr. J. Fullerton, deputy-com. resident at Gangam.

Mr. T. Terrett, collector at Guntoor.

Mr. E. H. Woodcock, assistant to the register of the court of Sudder Adawlet.

AUGUST.

Mr. C. Wynox, acting member of the board of trade.

Mr. G. Gwatkin, acting secretary, to ditto.

Mr. J. B. G. P. Paske, assistant to secretary to government.

J. Strange, esq. 1st judge of provin. court of appeal and circt. for S. division.

Mr. G. Maidman, commandant resident at Masulipatam.

Mr. J. Fullerton, do. Maddepollam.

Mr. J. W. Sydenham, register to court of requests.

Mr.

Mr. S. A. Brown, coroner of Madras.

SEPTEMBER.

Mr. J. M. Nichols, assistant, to coll. Tinnivelly.

Mr. R. Bayard, assistant to chief secretary to government.

Mr. J. W. Cunliffe, do. to do.

Mr. C. Roberts, assistant to secretary to the board of revenue.

OCTOBER.

Mr. G. Garrow, acting-superintendant of police.

Mr. C. Maidman, deputy commissary resident, Ingeram.

Mr. M. T. Harris, deputy revenue accountant.

Mr. T. Fitzgerald, deputy commissary resident, Vizag.

Mr. R. Peter, assistant to collector, Madura.

Mr. C. Woodcock, judge and magistrate at Combaconam.

Mr. C. Roberts, assistant to collector, Arcot.

Mr. J. H. D. Ogilvy, general salt agent.

Mr. C. Harris, second judge of court appeal and circuit, for the centre division.

Mr. J. Babington, register, zillah court, Trichinopoly.

Mr. J. Munro, do. Kodecondah.

Mr. J. Gahagan, assistant to register to zillah court, Mangalore.

NOVEMBER.

Mr. E. Gahagan, collector, Bellary.

Mr. W. Chaplin, do. Cuddapah.

Mr. N. Shaw, do. Kodecondah.

Mr. A. Wilson, judge &c. Onore.

Mr. G. W. Saunders, register, zillah court, Vellore.

Mr. F. Strachan, do. Salem.

Mr. J. B. Huddlestone, do. Tinnevelly.

Mr. J. F. Lane, assistant, do. Chittore.

Mr. P. Salter, master-attendant, Cochin.

Messrs. W. M'Taggart and J. K. Lane, commissioners of Madras lottery.

Messrs. Hefkee and son, agents to do.

Mr. J. H. D. Ogilvie, collector, Madras.

The honourable L. G. K. Murray, salt agent.

Mr. H. Clephane, acting judge, circuit of appeal for western division.

Mr. T. H. Baker, acting judge, &c. Tillicherry.

Mr. E. Powney, do. for south division.

Mr. J. Sullivan, assistant to chief secretary to government.

Mr. J. Babington, Malabar translator to government.

DECEMBER.

Mr. S. T. Goad, second member of commission for investigating nabob's debts.

Mr. H. Russell, third member, do.

Mr. J. W. Miller, sheriff of Madras.

Mr. J. Babington, assistant to salt agent.

Mr. J. A. Oakes, subordinate collector, Coimbatore.

Mr. W. O. Shakespear, register zillah circuit, Trichinopoly.

Mr. A. H. Kelso, judge and magistrate, Mangelore.

JANUARY, 1808.

Mr. J. Greenway, commisioner of court of requests.

Mr. A. Slingsby, assistant commercial resident Masulipatam.

Mr. R. B. Honyman, assistant to principal collector, Coimbatore.

Mr. J. Munro, register zilla court, Arnee.

Mr. C. Fullarton, do. Cuddapah.

FEBRUARY.

Mr. G. F. Travers, collector, Kodecondah.

Mr. C. H. Higgison, judge and magistrate, Masulipatam.

G. Strachey, esq. private sec. to the governor.

MARCH.

Mr. Mackdonald, assistant to secretary to government, in the revenue and judicial department.

Mr. W. Cook, acting collector of government customs.

Mr. R. Clarke, assistant.

Messrs. Thackeray, Babington, and Clarke, members of the grain committee.

Mr. F. W. Robertson, deputy commercial resident, Masulipatam.

Mr. R. Meggison, assistant to collector, Cuddapah.

Mr.

Mr. J. O. Tod, acting judge at Masulipatam.

APRIL.

Mr. W. Saunders, assistant to collector government customs.
Mr. H. R. Oakes, acting register, zillah court, Madura.
Mr. G. W. Cunliffe, assistant to register of the sudder and Fouzdary Adawlet courts.

MAY.

Mr. J. Hadow, second assistant to collector of government customs.
Mr. T. Gahagan, assistant to secretary board of revenue.
Mr. S. Skinner judge and magistrate, Rajamundry.
Mr. C. M. Lushington, register to zillah court, ditto.

JUNE.

Mr. R. Douglas, commissary resident, Ingeram.
Mr. J. Munro, examiner under secretary to government.
Mr. H. Gahagan, coroner of Madras.
Mr. G. Garrow, collector, Trichinopoly.

JULY.

Mr. W. Campbell, assistant to chief secretary to government in political and foreign department.
Mr. M. D. Cockburn, do.
Mr. A. D. Campbell, assistant secretary to board of revenue.

SEPTEMBER.

Mr. J. A. Drummond, assistant to the collector at Coimbatore.
Mr. E. Smally, assistant under the secretary to the board of revenue.
Mr. J. M. Heath, do. do.
Mr. E. Woodcock, fixed examiner under the secretary to government in the revenue and judicial departments.
Mr. T. Gahagan, do. do. under the secretary to the board of revenue.
Mr. A. R. M'Donell, assistant under the register to the court of Sudder Adawlet and Fouzdary Adawlet.
Mr. Thomas Newnham, judge and magistrate and collector of the revenues for the town and island of Seringapatam.

OCTOBER.

Mr. J. Collins, commercial resident at Maddaepollam.
Mr. E. Smalley, assistant under the collector of Tanjore.
Mr. M. Brown, acting-superintendent of the custom department in Malabar.
Mr. M. D. Cockburn, assistant under the judge at Verdachellum.
Mr. T. H. Baber, acting second judge of the provincial court of the western division.
Mr. Joseph Dacre, register to the provincial court of the centre division.
Mr. H. G. Keene, second assistant to the register to the court of Sudder Adawlut and Fouzdary Adawlet.
Mr. W. Dodwell, deputy commercial resident at Maddepollam.
Mr. J. Cotton, senior assistant under the collector of Tanjore.
Mr. J. Harrison, assistant under the secretary to the board of revenue.
Mr. F. A. Grant, collector of land customs.
Mr. W. Cook, collector of sea customs.
Mr. G. J. Hadow, assistant under the collector of sea customs.
Mr. W. Sanders, deputy collector of land customs.

NOVEMBER.

Mr. A. Brooke, deputy commissary resident, Salem.
Mr. R. Alexander, second member board of revenue.
Mr. G. F. Travers, collector, Gangam.
Mr. F. W. Robertson, assistant to collector, Masulipatam.
Mr. J. W. Cunliffe, fixed examiner in the sudder court.
Mr. E. L. Greenway, superintendant of stamps.
Mr. J. Munro, register zillah court, Salem.
Mr. H. R. Oakes, register zillah court, Madura.

MILITARY PROMOTIONS, &c.

MADRAS.

JUNE, 1807.

Lieutenant-colonel John Doveton is removed to the 4th regiment of Native cavalry, and lieutenant-colonel Augustus Floyer to the 3d regiment of Native cavalry from this date.

Capt. W. M'Pherson of his majesty's 12th regiment of foot, to be aid de camp to major general Macdowall. Lieutenant Coombs, of the 25th regiment of Native infantry, to be deputy judge advocate in Mysore. Lieutenant Palmer of the 35th regiment of Native infantry, to be adjutant of the 2d battalion of the corps. Mr. A. Penn, conductor of ordnance, to be deputy commissary of stores. Lieutenant colonel O'Reilly of the 12th regiment of Native infantry, to command the garrison of Sankerrydroog. Captain Butler of Invalids, to command the escort of the resident of Tanjore. Colonel Hare, H. M. 22d L. D. to command the garrison of Nundidroog

3d regiment Native Infantry.—Ensign Fyfe to be lieutenant, vice Binney, deceased.

9th regiment of Native Infantry—Ensign I. Rogers, to be lieut. vice Pagan, resigned.

Mr. assistant surgeon Kelly from the Presidency general hospital will do duty under the assistant surgeon, present with H. M.'s 94th foot, during the indisposition of Mr. surgeon Smith. Mr. assistant surgeon Sladen is posted to 2d battalion 20th native regiment. Assistant surgeon Stuart to proceed to Trichinopoly Sub-Assistant Surgeon Butler is stationed at the Presidency General Hospital,

Mr. T. Chase, to be paymaster and garrison storekeeper, at Vizagapatam, vice Jackson deceased.

Captain P. G. Blair, of artillery, to be commissary of ordnance with the S. F. of Hydrabad.

JULY

Senior Major of Infantry Hugh Buchan from the 22d regiment of Native infantry to be lieutenant colonel, vice Macpherson, deceased.

22d N. I.—Capt. W. P. Heitland to be major. Captain lieutenant J. Lindsay to be captain. Lieutenant W. Hankins to be captain - lieut. and ensign E. Y. Hancock to be lieut.

Senior Lieut.-col. of Infantry Aldwell Taylor to be Lieut.-col. commandant, of the Madras European reg. vice Richardson, transferred to the 9th reg. N. I. Senior Major of Infantry, Thomas Marriott, from the 25th reg. to be lieut.-col. vice Taylor, promoted.

25th reg N. I.—Capt. T. Gurnel to be Major, vice Marriott, promoted. Capt.-lieut. R. Davis to be capt of a company. Lieut. J. M Coombs to be capt.-lieut. Ensign J. Willows to be lieut.

Major-general Sir W. Clarke of his Majesty's service to be a major-general on the staff of the army of Fort St. George, from the date of his arrival. Major-general Campbell to command the forces in Mysore, vice Macdowall, promoted. Major-general Sir William Clarke to command the forces in the ceded districts, vice Campbell, transferred.

Artillery.—Major J. Scott to be lieut.-col. Capt. S. Dalrymple to be Major. Capt.-lieut. Alured Gibson to be capt. of

of a company, and lieut. W. Morrison to be captain-lieutenant.

AUGUST.

10th Reg. N. I.—Capt.-lieut. W. C. Fraser to be capt. of a company. Lieut. H. G. A. Taylor to be capt.-lieut. Ensign H. G. S. Croasdaile to be lieutenant. Lieut. R. Gwynne to be adjutant of the 1st bat.

The following gentlemen Cadets promoted to the rank of Ensigns.

Names.	*Date of Rank.*
Messrs. J. W. Moncrief,	17th July, 1805.
" Arthur Haultain,	27th June, 1806.
" J. Boles -	ditto
" G. Roberts -	ditto
" H. W. Byrn -	ditto
" J. Burnside -	ditto
" C. Brumfield -	ditto
" William Abbey	ditto
" E. Leigh -	ditto

Lieutenant-col. Capper to command at Tinnevelly.

Officers are posted to corps as follows:

2d bat. 2d N. R.—Ensign H. W. Byrn, late promotion.

1st bat. 3d N. R — Lieut.-col. Innes from the 22d N. R.

1st bat. 9th N. R. — Lieut. T. D. Burnett from the 2d bat. and ensign J. Boles, late promotion.

2d bat. 9th N. R.—Ensign W. Williamson, junior, late promotion.

2d bat. 10th N. R.—Capt. C. Saltwell from 1st battalion.

2d bat. 11th N. R.— Ensign J. Burnside, late promotion.

2d bat. 12th N. R.—Ensigns J. W. Moncrieff, and George Roberts, late promotion.

1st bat. 13th N. R.— Ensign C. Burnfield, late promotion.

2d bat. 18th N. R. — Captain J. Hay from 1st bat.

2d bat. 20th N. R.—Ensign T. Crichton, late promotion.

2d bat. 21st N. R.—Ensign W. Abdey, late promotion.

2d bat. 22d N. R. — Lieutenant.-col. Buchan, major Heitland, and ensign E. Leigh, late promotion.

1st bat. 24th N. R. — Lieut.-col. Marriot, late promotion.

2d bat. 24th N. R.—Ens. C. Haultain, late promotion.

Assistant surgeons T. Sotten, C. Spiers, W. S. Anderson, W. Tolme, J. Norris, and J. Jones, are stationed at the Presidency general hospital.

Lieut. Prendergast, H. M.'s 84th reg. to be aid-de-camp to major-general Sir William Clarke.

9th Reg. N. I.—Ensign J. Boles to be lieut. vice Porter, promoted.

12th Reg. N. I. — Ensign J. W. Moncrieff to be Lieut. vice Cook, deceased.

24th Reg. N. I.—Ensign A. Haultain to be lieut. vice Tichborne, deceased.

1st bat. 3d Reg.—Lieut. Colonel Grant from the 16th Reg.

2d bat. 6th Reg. — Lieut.-col. Capper from the 16th reg.

1st bat. 16th Reg. — Lieutenant-colonel Innes from the 3d reg.

Artillery. 1st bat. Capt. lieut. Morrison. 2d bat. Lieut. col. Scott, and major Dalrymple.

Infantry. 2d bat. 6th regt. Lieut. Golding. 1st bat. 10th regt. Lieut. col. Webber, from 22d regt. 1st bat. 10th regt. Lieut. col. Nash, from 20th regt. Assistant Surgeon T. Sutton, to do duty with H. M.'s 94th. Assistant surgeon Kellie, to the Hyderabad Subsidiary force. Assistant surgeon W. S. Anderson, to the ceded districts. Assistant surgeon Stewart, with H. M.'s 69th regt. Surgeon M. Cordiner, from the 4th regt. N. I. to do duty under the surgeon in the ceded districts. Assistant surgeon Gibbons, from the Madras European regiment, to the 2d bat. 4th regt. N. I.

2d Reg N. C. Lieut. M. Moncrieff, to be capt. lieut. vice Read deceased, and cornet E. Wallace, to be lieut.

7th Reg. N. I. En. Myers, to be lieut.

8th Reg. N. I. En. Ridley to be lieutenant.

10th Reg. N. I. En. Maltby to be lieutenant.

12th Reg N. I. En. S. W. Steel, to be lieutenant.

16th Reg. N. I. En. J. E. Bolton, to be lieut. Lieut. Fair, of the 5th reg. N. I. to act as adjutant to the 1st bat. of that corps. Capt. Cotgrave, of Engineers, to be superintending engineer in the Northern Division of the army. Lieut. Ravenshaw, to be engineer in Malabar and Canara. Lieut. Cleghorn, to be engineer at Vellore, Arcot, Chittoor and their dependencies. Capt. J. W. Whyte, of the 13th Reg. N. I. to be major of brigade,

gade, to the troops at Bangalore. Lieut. Cunningham, of the 13th regt. N. I. to be deputy judge advocate in the Southern division of the army.

SEPTEMBER.

Lieut. General Hay Macdowall, to command in chief the army of this presidency. Capt. Warren of H. M.'s 33d reg. and capt. P. Brown of the hon. company's service, to be aides-de-camp to the governor. Capt.-lieut. Morrison, of artillery, to be military secretary to the governor.

OCTOBER.

Lieut. colonel Charles Corner, 19th regiment native infantry.

Captain A. Molesworth, 5th regiment Native infantry.

Captain T. Stewart, 9th reg. N. I.

Lieut. T. Darke, 4th regiment Native cavalry.

Lieut. T. Hodson, 22d regiment Native infantry.

Lieut. W. Tytler, 6th regiment Native infantry.

Captain W. M'Pherson, of H. M.'s 12th regt. to be Military Secretary to the officer commanding the army. Capt. W. C. Campbell to be assistant adjutant general in Mysore. Captain G. Warburton to be paymaster, &c. at Hyderabad, and captain F. Thompson to be barrack master in the presidency division. Major general Pater, to be of the staff. Captain Stewart, 9th regt. native infantry, to be aid-de-camp to general Pater.

NOVEMBER.

2d Reg. N. C.—Cadet D. Macqueen, to be cornet, vice Wallace, promoted.

8th Reg. N. C.— Cornet C. B. Darby to be lieut. vice Barnaby, deceased. Cadet W. T. Greaves to be cornet.

10th Reg. N. I.—Captain M. Hawes, to be major, vice Shaw, retired. Captain lieut. W. C. Fraser, to be captain. Lieut. H. G. A. Taylor, to be capt.-lieut. and Ens. H. G. S. Croasdaile, to be lieut. Lieut. J. Kirwan to be capt.-lieut. and Ens. W. Richardson to be lieut.

21st. Reg. N. I.—Capt.-lieut. D. Mackay, to be capt. vice Wright, deceased. Lieut. H. Bowdler to be capt.-lieut. and Ens. J. Webster to be lieutenant. Lieut. John Inglis to be adjutant of the 2d bat. 10th reg. Native infantry.

Capt. Fitzjean, H. M.'s reg. De Mueron, to command the invalids at Chingleput.

DECEMBER.

Major R. Barclay, 11th reg. Native infantry, to be military secretary to the hon. the governor.

The following gentlemen cadets to be Ensigns:

Mr. W. W. Jeffery,
" P. Snowden,
" L. Dowton,
" P. Graves,

Lieut.-col. F. Capper, 16th reg. Native infantry, to be adjutant general of the army. Major T. Boles, 3d reg. Native infantry, to be deputy adjutant general of the army. Capt. S. Macdowall, 18th reg. Native infantry, to be assistant adjutant general of the army. Lieut. H. Scott, 20th reg. Native infantry, to be major of brigade to the forces in Travancore. Lieutenant C. Brooke to be adjutant, 2d bat. 20th reg. of Native infantry. Major gen. Sir W. Clarke to command the forces in Mysore. Major general Pater to command the forces in the ceded districts. Lieut. G. Hunter to be adjutant, 2d bat. 3d reg. Native infantry. Lieut. J. Shaw to be adjutant, 1st bat. of the 17th reg. Native infantry.

JANUARY, 1808.

Captain Webster, 4th reg. N. I. to be assistant adjutant general in Mysore, and capt. Campbell, 3d reg. N. C. to be assistant adjutant general, in the ceded districts. Lieut. F. Monteith, to the corps of engineers. Lieut. J. S. Fraser, 18th reg. N. I. to be aid-de-camp to the hon. the governor. Mr. assistant surgeon H. Williamson to be surgeon, vice Todd, invalided. Mr. A. S. D. Ainsle to be surgeon, vice White, struck off. Mr. A. S. Jeffries to be surgeon, vice Spalding, invalided.

N. C.—Major R. Doveton, to be lieut.-col. vice L. Baillie, deceased.

3d Reg. N. C.—Capt. J. Nuthull, to be Major, vice Doveton, promoted. Capt.-lieut. C. Stuart, to be capt. of a troop. Lieut. C. Rider, to be capt.-lieut. Cornet A. S. Barlow, to be lieut.

FEBRU-

FEBRUARY.

Major J. Nagle, 4th N. R. to be lieut.-col. vice A. Macleod, deceased.

4th Reg. N. I. — Capt. G. A. Muat, to be Major. Capt.-lieut. G. Birch, to be capt. Lieut. W. M'Donald Robertson, to be capt. Lieut. and ensign A. Hammond, to be lieut. vice Nagle, promoted. Mr. W. H. Ridding, to be Ensign. Lieut. A. Stock, 4th Reg. N. I. to be deputy secretary, vice Morison. Lieut. Balmain, 6th Reg. N. C. to be assistant under the secretary. Lieut. T. Hodgson 22d reg. N. I. to be fort adjutant of Cannonnore, vice Turner. Cornet J. Locke, to be Lieut. 3d. reg.

Artillery.—Lieut. F. W. I. Brett to be lieut. vice Barton promoted. Lieut. F. J. J. Paske to be Lieut. Lieut. F. J. N. Abdy to be Lieut.

MARCH.

7th N. I.— Capt. J. F. Wright to be Major, vice Jones deceased. Capt. Lieut. A. Balman to be capt. Lieut. G. Jackson to be capt. lieut. Ens. M. Morley, to be lieut.

20th N. I.—Ens. J. Crichton to be lieut. Capt. G. E. Barlow, H. M. 24th reg. to be aid-de-camp to the governor.

MAY.

Major P. Walker, 8th N. C. to be lieut. col. Capt.-lieut. H. M. West to be capt. of a troop. Lieut. A. M. Barnaby to be capt.-lieut. Lieut. A. Mc Leod to be capt.-lieut. vice Barnaby, deceased. Cornet W. D. Busby to be lieut.

Major J. Nagle to be lieutenant-colonel of infantry.

Major A. M'Farlane, to be lieutenant colonel.

5th Reg. Native Infantry. Capt. Mc Gregor to be major. Capt. lieut. J. Hankin to be captain. Lieut. A. R. Hughes, to be captain-lieut. Ensign G. I. Horn, to be lieutenant.

Major A. Maitland to be lieutenant-colonel.

6th. Reg. Native Infantry. Capt. H. Evans, to be major. Captain lieut. R. Porminter, to be captain lieutenant. Ensign G. Lewis, to be lieut.

Major B. Harris, to be lieutenant-colonel.

9th Regiment Native Infantry. Capt. J. Dickson, to be major. Capt.-lieut. Porter, to be captain. Captain F. Fraser, to be major. Capt. lieut. G. Sandford, to be captain. Lieut. R. Bye, to be capt. lieut. Ensign G. Norman, to be lieutenant.

22d Regiment Native Infantry. Capt. J. De Morgan to be major. Capt. lieutenant V. Hawkins, to be capt. Lieut. G. Morier, to be captain-lieut. Ensign P. Conner, to be lieut.

Major-general D. Campbell, placed on the retired list, vice Collins deceased. Lieut.-col. K. Macclister, lieut.-col. commander, vice Campbell. Major G. Rowles, N. C to be lieut.-col.

3d Regiment Native Cavalry. Capt. J. Russell, to be major. Capt. lieut. W. C. Campbell, to be captain. Lieut. H. Rainsford, to be capt.-lieut. Cornet J. Boyn, to be lieut.

JUNE.

Lieut. Anderson, 5th reg. R. N. I. to be adjutant. Lieut. Kitson, 12th R. N. I. to be adjutant.

25th Reg. Native Infantry. Capt. Q. H. A. Purchas to be captain. Lieut. I. H. Palmer, to be captain-lieut. Ensign Young, to be lieutenant.

Artillery. Senior lieut. fireworker, F. Aldwinkle to be lieutenant, vice Mackintosh transferred to the corps of engineers. Capt.-lieut. J. C. Francke, to be captain of a company, vice Kingsley, deceased. Lieut. J. Moorhouse, to be captain lieutenant. Lieut. fireworker, C. R. M'Causland, to be lieut. Madras E. R. Ensign W. Fenwick, to be lieutenant, vice Smith, deceased.

15th Native Reg. Ensign Bond to be lieutenant, vice Allen deceased. Ensign T. Casey, of the 14th regt. of Native infantry, to be lieut. vice Bazley, deceased. Mr. surgeon John Hay, to be garrison surgeon at Tranquebar.

SEPTEMBER.

20th N. Reg.— Captain-lieutenant L. S. Smith, to be captain of a company, vice Rand, deceased. Lieutenant T. Vincent, to be captain-lieutenant; and ensign Inglis, to be lieutenant.

7th N. Reg. Ensign E. Fiott, to be lieutenant, vice Ash deceased. Major G. Macgregor, of the 5th regt. N. I. to command the garrison of Cuddalore and the cadet company. Capt.-lieut. G. Cadell, of the 12th N. I. to be town major of Seringapatam, vice Rand, deceased; and lieut. J. W. Moncrief to be Fort adjutant of that station.

station. Major H. Hall, to be lieut.-col. vice Buchan, deceased.

2d Reg. N. I.—Captain T. Steele to be major. Capt.-lieut. J. Pepper to be capt. of a company. Lieut. F. W. Wilson, to be capt.-lieut. and ensign H. W. Byrn to be lieut.

15th Reg. N. I.— Ensign W. Herring, to be lieut. vice Taylor, deceased.

OCTOBER.

Eur. Reg.—Ensign P. H. Newall to be lieut. vice Andrews, transferred to the non-effective establishment.

2d Reg. N. I.—Ensign G. Field, jun. to be lieutenant, vice Reid, deceased.

19th Reg. N. I.—Senior Ensign H. Dowden to be lieut. vice Thompson, deceased.

24th Reg. N. I.—Ensign J. R. Godfrey, to be lieut.

NOVEMBER.

Lieut. H. Scott, 20th reg. N. I. to be assistant quarter-master-general in the Northern division, vice Vernon, promoted. Lieut. W. Kelso, 13th reg. N. I. to be brigade major to the force in Travancore, vice Scott. Capt. A. Balmain, 7th reg. N. I. to act as assistant quarter-master-general in the Southern division, vice Kelso, removed.

IVIL APPOINTMENTS.

BOMBAY.

F. Warden, Esq. chief secretary to government.

R. T. Goodwin, Esq. secretary to government in public revenue and judicial department.

G. C. Osborne, Esq. do. to do. in secret, political, and foreign department.

W. Newnham, Esq. do. to do. in military and commercial department.

H. R. Whitcombe, Esq. garrison paymaster.

L. Ashburner, Esq. mayor of Bombay.

D. Richardson, Esq. sheriff.

C. J. Rich, Esq. resident at Bagdad.

J. Kay, Esq. acting deputy accountant general.

J. H. Crawford, acting first assistant to do.

James Hallett, Esq. judge and magistrate at Tannah, vice Haye, deceased.

John Williams, Esq. secretary to the military board, vice Hallett.

W. Newnham, first assistant to the military board, vice Williams.

MARINE APPOINTMENTS.

Capt. J. D. Beaty, captain of Mazagon dock.

G. Lukin, Esq. marine pay-master, and storekeeper.

Lieut. Michie, boat master.

Mr. T. S. Price, second lieutenant.

Captain Budder, commodore at Surat.

Captain Keys, to command the Morningtou.

Lieutenant J. Maughan, to command the Benares.

Jun. captain J. Hayes, to be sen. capt.

First

First lieutenant S. Snook, to be jun. captain.
Second lieutenant T. Blast, to be first lieutenant.
Mr. J. Arthur, midshipman, to be second lieutenant.
Junior captain, E. Lowes, to be senior captain.

First lieutenant J. Jeaks, to be junior captain.
Second lieutenant J. Harriot, to be first lieutenant.
Mr. A. Seymour, midshipman, to be second lieutenant.

MILITARY PROMOTIONS.

JUNE.

Major A. Bethune to be lieut.-col. Capt. J. Dufty to be major. Capt.-lieut. G. Midford, captain. Lieut. F. Staunton captain-lieutenant. Ensign Rose, lieutenant.

Capt.-lieut T. Thatcher to be captain. Lieutenant B. W. D. Sealy, to be captain-lieutenant. Ensign A. Montgomery to be lieut.

JULY.

Lieutenant-colonel R. Hunt, to be lieut.-colonel. Brevet major R. Lewis to be major. Captain H. S Osborne to be major. Captain-lieut. C. Browne, to be captain. Lieutenant J. Mackenzie, to be captain-lieutenant. Ensign E. J. Harrison, to be lieut.

Major A. Spencer, to be lieutenant-colonel. Captain W. Boys, to be major. Captain-lieutenant J. B. Watson, to be captain. Lieutenant A. Hay, to be captain-lieutenant. Ensign J. Keith, to be lieutenant.

Capt. Carpenter, to be assistant in the office of the adjutant-general.

AUGUST.

Engineer Corps.— Lieut.-colonel. W. H. Blachford, to be lieutenant-colonel commandant, vice Bland deceased.—Date of rank, 27th February, 1807.

Infantry. — Lieutenant-colonel Andrew Anderson to be lieutenant-colonel commandant, vice Bannatyne.—Date of rank, 14th July, 1806.

SEPTEMBER.

Lieutenant Marshall, second battalion 9th N. I. to be barrack master at Goa.

OCTOBER.

Captain A. Hay, to be acting military auditor-general, vice Oakes resigned.

Ensign S. Hallifax, to be lieutenant. Ensign W. Spiller to be lieutenant, third N. I. Ensign W. Eckford to be lieutenant, 9th N. I. Lieutenant A. B. Campbell, 9th N. I. to be deputy commissary of stores.

DECEMBER.

Lieut. R. Campbell, second battalion 9th N. I. to be linguist to that corps. Ensigns T. A. Cockran, and A. W. Brown, to be lieutenants, sixth reg. N. I. Captain G. Bellasis, to be acting brigade-major at Poonah.

FEBRUARY.

Lieut Danl. Bellasis to be an Assistant in the office of the quarter-master-general. Major W. Campbell, H. M. 78th regiment, to be Military Secretary to the Governor. Capt. Eyre, to command the Governor's body guard. Lieut. Elderton, 2d battalion 7th Nat. Inf. to be linguist in the Mahratta language, to the corps, and Lieut. Lami to the same situation in the 1st of the 8th Nat. Inf. Major General R. Jones, to command the army on the Bombay Establishment. Lieut. Col. G. Holmes to command the subsidiary force in Guzzerat. Major General and Lieut. Col. R. Jones to be Colonel, vice Bellasis, deceased. Major J. Griffiths to be Lieut. Col. Capt. S. Carter to be Major. Capt. Lieut. G. B. Bellasis, to be Capt. Lieut. E. S. Clifton, to be Capt. Lieut. Surgeon J. Thorpe, to be 2d member of the medical board.

MARCH.

Capt. D. Muston, H. M. 86th reg. to be Secretary to the commanding officer of the forces.

1st Reg. Capt. D. Mahony to be Major, Capt. Lieut. T. Staunton to be Capt. Lieut. B. Dutton to be Capt-Lieut, Ensign G. Wilson, to be Lieut.

Major

Major General Macpherson, to be a General on the Staff. Lieut Col. J. W. Morris to command the garrison of Tannah. Lieut. Col. A. Spens, to be Col.

4th Reg. Capt. W. Boye, to be Major. Capt. Lieut. J. B. Watson, to be Capt. Lieut. A. Hay, to be Capt. Lieut. Ensign J. Keeth to be Lieut. Major J. Skelton, to be Lieut. Col.

5th Reg. Capt. J. Harding to be Major. Capt. Lieut. G. Brown to be Capt. Lieut. J. Sutherland, to be Capt. Lieut. Ensign P. Kirk, to be Lieut. Lieut. G. A. Logie, to be Capt. Lieut. Ensign G. A. Rigby, to be Lieut.

2d Reg. Ensign G. Bolderson, to be Lieut.

3d Reg. Ensign E. Towsay, to be Lieut. Lieut. K. Egan, to be Capt. of a company. Ensign H. Parker to be Lieut. Ensign T. Gordon, to be fort adjutant at Surat. Senior Assistant Surgeon R. Hoyes to be Surgeon. Assistant Surgeon D. Campbell, to be acting surgeon. Assistant Surgeon Davis, to be surgeon. Lieut C. M. Leckie, 5th regiment Native Infantry to be Major of Brigade to General Macpherson. Ensign D. C. Evans, to be Fort Adjutant at Tannah.

APRIL.

Lieut W. Watts, 4th regiment Native Infantry, to be Assistant to the resident at Muscat. Lieut. fireworker W. G. White, to be Lieut.

MAY.

Lieut. Elderton, 7th regiment Native Infantry, to be linguist in Hindoostanee to that corps. Lieut R. Logie to be commissary of Bazars at Goa. Senior Major M. Bratton, to be lieut. col.

3d Reg.—Captain W. Roome to be Major. Capt.-lieut. W. Carpenter to be Capt. Lieut. H. Tovey to be capt.-lieut. Ensign E. Towsey to be lieut.

5th Reg.—Ensign A. M'Tavish to be lieut.

AUGUST.

Lieut. Bagnold to be linguist in the Hindoostanee and Mahratta languages, to 2d bat. 3d N. I. and lieut. Eckford to be linguist in the Mahratta language to the 1st bat. 9th N. I.

SEPTEMBER.

8th Reg.—Ensign C. Le Maitre to be lieut.

OCTOBER.

Major General S. W. S. Waddington, the senior col. at present on the list of the army, to come on the retired list, vice Brownrigg, deceased. Lieut.-col. Charles Boye, to be lieut.-col. commandant, vice Waddington. Sen. Major Thomas Munn, to be lieut.-col. vice Boye, promoted.

6th Reg. Senior capt. J. Smith, to be major, vice Munn, promoted. Capt. lieut. Thomas T. Roberts, to be capt. of a company, vice Smith, promoted. Lieut. George Wilson, to be captain-lieut vice Roberts, promoted. Ensign John C. Hawkes, to be lieutenant vice Wilson, promoted. Cadet Mr. Ferdinand Price, to be Ensign in the engineers.

16th E. R.—Cadet J. Little to be ensign, vice Crozier, promoted.

17th.—Cadet And. Robinson, to be ensign, vice Cheyne, promoted.

1st N. R.—8th Cadet James William Falconar, to be ensign, vice Jones, promoted. 12th Cadet W. S. W. H. Baker, to be ensign, vice Herbet, deceased.

2d N. R.—2d Cadet Sam. Bertie Ambrose, to be ensign, vice Hicks, promoted. 3d Cadet Benj. Soppill, to be ensign, vice Boulderson, promoted.

3d N. R.—7th Cadet William M'Donnell, to be ensign, vice Towsey, promoted. 13th Cadet William Grimaldi, to be ensign, vice Gillum, promoted.

4th N. R.—10th Cadet T. Edw. Baynes, to be ensign, vice Tramplert, deceased.

5th N. R. — 5th Cadet S. Taylor, to be ensign, vice Rigby promoted; 11th Cadet George Sandes, to be ensign, vice M'Tavish, promoted.

6th N. R.—5th Cadet James Clement Page to be ensign, vice Hawkes, promoted.

15th Cadet John Clunes, to be ensign, vice Harris, deceased.

7th N. R.—1st Cadet Hen. Stafford Waddington, to be ensign, vice Walker, promoted.

6th Cadet Anthony Seymour, to be ensign, vice Wood, promoted. 14th Cadet Wm. Graham, to be ensign, vice Roome, promoted.

Marine Bat.—12th Cadet R. Sutherland, to be ensign, vice Parker, promoted. Captain M'Innes, to be private secretary to the governor.

Lieut. Robert Campbell, to act as Aid

Aid de-camp to the hon. the governor.
Mr. Robert Ibbetson, to be assistant in the collector's office.
Mr. Quintin Dick Thompson, to be paymaster, and commissary of provisions and petty stores.
Mr. John Macalister, to be assistant collector of customs and land revenues at Malacca.
Mr. William Bennett, to be assistant to the ware-house keeper The office of deputy warehouse-keeper is abolished from the 1st of the ensuing month.
Henry Shepherd Pearson, Esq. to be warehouse-keeper and paymaster.
Mr. J. C. Lawrence, to be acting Malay translator to government.

NAVAL APPOINTMENTS.

By Sir E. Pellew, *Bart. &c. &c.*

Capt. Buck of the Rattlesnake to the Powerful.

Lieut. Flint, of the Culloden, to be commander of his Majesty's Sloop Rattlesnake.

Captain Wells of the Victor, to the temporary command of his Majesty's ship Duncan.

Lieut. Groube, of the Culloden, to be commander of his Majesty's sloop Victor.

Lieut. O. Owen, to be commander in the navy, and governor of Madras hospital.

Mr. W. B. Dashwood, to be lieut. of the Culloden.

Mr. Charles Fantin, do. of the Powerful.

Mr. Edward Bingham, do. of do.

Mr. M. M. Kelly, do. of the Pitt.

Mr. J. G. Aplin, do. of the Arrogant.

Mr. H. J. Sweedland, do. of the Rattlesnake.

LA PIEDMONTESE.

Capt. Foote, of the Wilhelmina, to be Captain.

Lieut. Tippett, do. first Lieut.

Lieut. Lewis, do. Second do.

Lieut. Hope, do. Third do.

Lieut. Rodney, do. Fourth do.

Mr. Macklin, surgeon's first assistant of the Culloden, surgeon.

Mr. Jacobs, from the Admiral's office, Purser.

Mr. Haydon, Purser of St. Fiorenzo, Purser of the Powerful, vice Walker, invalided.

Mr. Alston, midshipman of the Culloden, Lieut. of the Wilhelmina.

Mr. Seymour, do. Lieut. of the Psyche.

Mr. Campbell, do. Lieut. of the Arrogant.

Mr. Heath, surgeon's assistant of the Culloden, Surgeon of the Psyche.

Mr. Read, Purser, of the Sapphire Sloop, Purser of the St. Fiorenzo.

OFFICERS INVALIDED.

Lieut. Crespigney, of the Arrogant.

Lieut. Aplin, ditto.

Lieut. Edwards, ditto.

Mr. Walker, Purser of the Powerful.

REMOVALS.

Captain Bastard, from La Dedaigneuse to St. Fiorenzo.

Lieut. Dennison, of the Sapphire, to the Wilhelmina.

Mr. Maitland, master of the Wilhelmina, to the Psyche.

Mr. Greensitt, master of the Psyche, to the St. Fiorenzo.

Mr. Blanford, Surgeon of the Phaeton, to the Culloden.

Mr. Hodgskin, Purser of H. M. late ship Macassar, to the Greyhound.

CEYLON CIVIL APPOINTMENTS.

1807-8.

J. Wright, Esq. assistant secretary to government.

A. H. Grisler Esq. assistant advocate fiscal and joint fiscal to the supreme court, vice J. Ketson, Esq.

MILITARY PROMOTIONS.

Captain Frederick Hankey, H. M. 19th reg. to be Aid-de-Camp to the lieut. general, date 24th July, 1807. Capt. Charles Pierce, H. M. 19th reg. to be brigade major to the forces, vice Hankey, date 24th July.

2d Ceylon Regiment. 2d Lieut. R. P. Nixon, to be 1st Lieut. by purchase, vice Seguins, resigned, date 6th August, 1807. Capt. Grant, commanding the royal artillery at Galle, to command the detachment at Trincomallee.

1st Ceylon Regiment. 2d Lieut. W. Husband, to be 1st lieut.

2d Ceylon Regiment. 2d Lieut. J. Read to be first lieut. 2d Lieut. adjutant Hunter to have rank of 1st lieut.

3d Ceylon Regiment. 2d Lieutenant and adjutant White to have rank of 1st Lieut. Capt Hankey, assistant quarter-master-general. Lieut. Stewart, 19th regiment, assistant in the quarter-master-general's department. 2d Lieut. Dick, 2d Ceylon regiment, to be assistant to the military secretary, Lieut. George Stewart, to be Captain of a company, vice Pearce, deceased.

MARRIAGES,

MARRIAGES, BIRTHS, AND DEATHS.

BENGAL.

MARRIAGES.

JUNE, 1807.— R. McClintock, Esq. to Miss Hardyman. Captain J. Swinton, to Miss Stewart. Captain M. White, to Miss F. Marchison. Mr. A. Walker, to Miss E. Larkins. Lieutenant J. Jones, 7th Native cavalry, to Miss C. Fergusson. R. K. Dick, Esq. to Miss H. Hanmer.

JULY.— W. Rennell, Esq. to Miss Lucas.

AUGUST.— Lieutenant J. Moir, his majesty's 67th regiment, to Miss M. Thompson. Captain G. Becher, 5th regiment Native cavalry, to Miss Barclay. Lieutenant J. Veach, to Miss Oliphant. B. Browne, Esq. to Mrs. Ceronio. Mr. S. H. Boileau, to Miss J. Norton.

SEPTEMBER.— Captain J. Miller, to Miss P. A. Scott. Lieutenant J. De Beauregard, to Miss M. Hickburn. Mr. R. J. Lambe, to Miss C. Garrett. Lieutenant J. Canning, 27th Native infantry, to Mrs. Anster. Mr. A. R. Finlayson, to Miss Gooding. W. Logie, Esq. to Miss E. S. Arnold. Captain R. Nicholson, to Miss E. Barber.

OCTOBER.— Captain J. Patterson, Esq. of the Duke of Montrose Indiaman, to Miss J. Patton. Captain Yates, to Miss St. Leger. J. Donnithorne, Esq. C. S. to Miss S. E. Bampton. W. Lock, Esq. C. S. to Miss J. Cock. P. Smethurst, Esq. to Miss M. Stewart. J. Smith, Esq. to Miss D. Stewart. Captain J. Stevens, to Miss L. M'Cabe. Mr. J. Duncan, to Mrs. E. Hargrave.

NOVEMBER.— Capt. A. Thompson, to Miss A. Kerr. G. J. Siddons, Esq. civil service, to Miss Fombelle. Mr. J. Sawyer, to Miss C. Jones. S. Sweeting, Esq. to Miss C. Cornelius. Captain C. Fagan, to Miss Lawtie.

DECEMBER.—Lieut. T. Valiant, his majesty's 65th regiment, to Miss H. W. Lockhart. Col. Carnegie, Commandant of Artillery, to Miss M. C. Boswell. W. Egerton, Esq. Accountant-general, to Miss S. Boswell. C. I. Davidson, Esq. to Miss Tierney. Mr. E. I. Pennington, to Miss A. K. Gregory. Lieut. C. Browning, 14th Native infantry, to Miss S. J. Plusker. Lieut. J. Gerrard, 2d Native infantry, to Miss H. Holt. Lieut. C. J. Doveton, 19th regiment Native infantry, to Miss M. A. Arnold.

JANUARY, 1808.— J. Gibbon, Esq. to Miss Mackintosh. Major O'Donnell, 12th regiment N. I. to Mrs. Brownrigg. H. Somerville, Esq. C. S. to Miss A. Heming. G. Saunders, Esq. C. S. to Miss A. Russell. Capt. Showers, of the artillery, to Miss Paull.

FEBRUARY.— J. C. Plowden, Esq. C. S. to Miss Erskine. Mr. J. Hillery to Miss M. Hume. Mr. F. Rehnell to Miss J. George. Brigade Major Gough, to Miss A. Wilkinson. Mr. R. Smillie to Miss A. Flower. E. A. Roussac, Esq. to Miss M. Vrignon. Major J. L. Richardson, 14th N. I. to Miss Fagan.

M.

Mr. W. Lambart, to Miss A. E. Smith.

MARCH.—Capt. N. Shairp to Miss E. B. Campbell. C. M'Kenzie, Esq. to Miss M. Limrick. Lieut. E. Browne, 13th regiment, to Miss Swinhoe. Mr. G. Hall, to Miss Allan. Capt. J. Marshall, to Miss J. Campbell. Mr. J. H. Bird, to Miss E. Kemp.

APRIL.—Mr. J. H. Morrell, to Miss M. Gillis. Lieut. J. F. Goad, to Miss A. M. Paul. Lieut. J. T. Hawkins, to Miss H. Rutledge. Mr. A. Davison, to Miss Ingram.

MAY.—J. Brown, Esq. to Miss M. A. Aldred. J. Bunce, Esq. to Miss L. Smith. Lieut. G. Moore 1st regiment, to Miss Munt. Dr. Carey to Lady C. E. Von Rumohr. Mr. J. Watts to Miss C. French. Mr. G. Mackay, to Miss S. Herbert.

JUNE.—J. H. Harrington, Esq. C. S. to Miss A. Johnston. A. Colvin, Esq. to Miss M. Jackson. Capt. Moor, Esq. H. M. 14th regiment, to Miss M. Hardwick. Capt. Shaw, H. M. 22d regiment, to Mrs. A. Cramer. Capt. J. Green, to Miss E. Berrie, C. B. Forrest, to Miss E. St. Leger. Mr. J. Ogilvie, to Miss M. Smith. Mr. W. Cook, to Miss M. Prince. Mr. J. Harrison, to Miss A. Gomis.

JULY.—Mr. G. S. Hetteman, to Miss M. Malcolm. Mr. N. Johnson, to Miss A. De Cruz. Capt. Horton, 84th regiment, to Miss Terret. Mr. C. M'Lean, to Miss E. Gill. Lieut. C. W. Brooke, 23d regiment, to Miss Marshall. Capt. J. Johnston, 2d reg. Cav. to Miss S. Rider. Mr. W. Carey, to Miss M. Kinsey. W. Collings, Esq. to Miss J. Gall. Lieut. H. P. Davies, to Miss M. A. Wifford. Capt. J. Ferris, artillery, to Miss Ryan.

AUGUST.—Mr. A. Robertson, to Miss A. Heatham. Mr. Denty, to Miss M. Fuller, Mr. J. K. Porter, to Miss E. Cussons. Lieut. Dacre, 12th regiment to Miss Assey. —— Ochterloney, Esq. to Miss Nelly. Mr. R. Wyate, to Miss Roseboom.

SEPTEMBER.—Lieut. Martin, to Miss Macpherson. Mr. H. Metcalfe, to Miss M. Burnett. Mr. J. Kidd, to Miss M. M'Cawley. Mr. M. Stalkart, to Miss C. Smith.

OCTOBER.—E. Strachey, Esq. C. S. to Miss J. W. Kirkpatrick. Capt. W. Kinsey, to Miss M. M'Clieur. H. Alexander, Esq. C. S. to Miss Pringle. D. Campbell, Esq. to Miss H. Treves. Mr. Lewis de Souza, to Mrs. Whitemore.

NOVEMBER.—Mr. Joseph Gabriel Schoolfield, to Mrs. Isabella Burhon. Mr. Dunn, Junior, to Miss Gee. Mr. Robert Howard, to Miss Maria Wroughton.

DECEMBER.—R. E. Thomas, Esq. to Miss M. Macdougal. J. Ellerton, Esq. to Mrs. Gunn. C. Dumbleton, Esq. C. S. to Miss A. St. Leger. Mr. W. P. Wattell, to Mrs. S. Dodd.

BIRTHS.

JUNE, 1807.—Lady of J. Thornhill, Esq. of a daughter. Lady of the Reverend E. Jeffreys, of a daughter. Lady of J. Colvin, Esq. of a son. Lady of A. Kelso, Esq, of a daughter. Mrs. J. Greenaway, of a daughter. Lady of Captain S. Noble, of the 2d Native cavalry, of a daughter. Mrs. W. Blanchard, of a daughter. Lady of Mr. J. C. Burton, of a son. Lady of Lieutenant A. J. Watson, of a son. Honourable Mrs. Bruce, of a son. Lady of Captain B. Fergusson, of a daughter. Lady of Captain H. Blackbenhagen, of a daughter. Lady of H. J. Travers. Esq. of a son. Lady of T. Spottiswood, Esq. of a daughter.

JULY.—Lady of Captain G. Harriott, of a son. Lady of J. B. Birch, Esq. of a son. Lady of J. Taylor, Esq. of twins.

AUGUST.—Lady of Major Maxwell, his majesty's 67th regiment, of a son. Lady of W. Money, Esq. of a son. Lady of P. Chiene, Esq. of a son. Mrs. Bone, of a daughter. Lady

Lady of M. Shakespeare, Esq. of a son. Lady of Captain C. Reddish, 22d Native infantry, of a son. Lady of Captain Curry, his majesty's 67th regiment, of a daughter. Mrs. G. W. Chisholm, of a son. Mrs. J. Knox, of a son. Lady of Captain G. Rochfort, his Majesty's 69th regiment, of a daughter. Lady of Captain R. Clarke, of a son. Lady of D. Morrison, Esq. of a son. Lady of Major Boardman, of a daughter. Lady of Captain W. C. Faithful, of a daughter. Lady of Lieutenant Gwatkin, of a son. Lady of Samuel Ludlow, Esq. of a daughter. Lady of G. Chester, Esq. of a daughter.

SEPTEMBER.— Lady of J. Wintle, Esq. of a son. Mrs. W. Edy, of a son. Mrs. Arnold, of a son, Mrs. D. Templeton, of a daughter. The honourable Mrs. Brookes, of a daughter. Lady of Donald Smith, Esq. of a son. Mrs. Leclerc, of a daughter. Mrs. J. Tulloh, of a son. Mrs. D. Moon, of a daughter. Mrs. A. Mansfield, of a son. Mrs. H. Watson, of a son. Mrs. Truckler, of a son. Lady of J. Dyer, Esq. of a daughter. Lady of C. Corfield, Esq. of a son. Mrs. Cripps, of a son. Lady of Captain Mathews, of a son. Lady of Captain P. Littlejohn, of a son Lady of Colonel Prole, of a daughter.

OCTOBER.—Lady of Major T. Morgan, of a son. Mrs. Ham, of a son. Lady of Lieutenant J. Arrow, of a son. Mrs. W. Campbell, of a daughter. Mrs. Nash, of a son. Lady of W B Ince, Esq. of a son. Mrs. J. Urquhart, of a daughter. Lady of W. T. Smith, Esq. of a son. Lady of Captain Radcliffe, his majesty's 17th foot, of a son. The lady of Major Bristow, of a son.

NOVEMBER.—Lady of A. Haig, Esq. of a daughter. Mrs. Dowling, of a son. Mrs. W. Browne, of a daughter. Lady of R. Robertson, Esq. of a daughter. Mrs. Goddard, of a son. Lady of E. Strettell, Esq. of a daughter. Mrs. W. K. Jackson, of a son. Mrs. Turnbull, of a son. Lady of Lieutenant J. Wilkie, of a daughter. Lady of Lieutenant T. L. Gale, of a daughter. Mrs. W. Hodges, of a daughter. Mrs. Stone, of a daughter. Mrs. I. Scott, of a son.

DECEMBER.—Lady of Dr. Hare, of a son. Mrs. D. Bagley, of a daughter. Lady of Col. Meiselback, of a daughter. Lady of W. Farquharson, Esq. of a daughter. Lady of Captain A. Duncan, of a son Lady of Thomas Mainwaring, Esq. of a son. Lady of Captain R. Vincent, of a son. Lady of W. J. Money, Esq. of a son. Lady of L. A. Davidson, Esq. of a daughter. Lady of Captain W. Lamb, of a son. Lady of Captain Porteus, of a son. Lady of Captain Mitchell, of a son. Lady of M. Law, Esq. of a son. Lady of C. Becher, Esq. of a daughter.

JANUARY, 1808.—Lady of P. Maitland, Esq. of a son. Lady of C. Cornish, Esq. of a Daughter. Lady of R. Campbell, Esq. of a daughter. Mrs. J. Eddington, of a son. Lady of J. B. Plusker, Esq. of a daughter. Lady of C. R. Crommelin, Esq. of a son. Lady of E. Cooke, Esq. of a son. Lady of lieut. J. Maling of a son.

FEBRUARY.—Lady of Colonel M'Gregor, of a son. Lady of Captain Young, artillery, of a daughter. Lady of Lieutenant G. Warden, 27th Native infantry, of a daughter. Mrs. E. Brightman, of a daugther. Lady of W. Russell, Esq. of a daughter. Lady of Sir Frederic Hamilton, bart. of a son. Mrs. J. Stapleton, of a son. Mrs. D'Oehme, of a daughter. Mrs. P. Reid, of a son. Lady of W. Armstrong, Esq. of a daughter. Lady of J. Cheap, Esq. of a daughter. Lady of J. Walker, Esq. civil service, of a son. Lady of Major Varrenen, of a daughter. Mrs. Sutherland, of a son. Lady of J. W. Fulton, Esq. of a daughter. Lady of Lieutenanat W. P. Foley, of a daughter.

MARCH.— Lady of R. Graham, Esq. of a daughter. Mrs. M. Rees of a son. Lady of Captain T. Scott, of a daughter. Mrs. S. Greenway, of a son. Mrs. Kennedy, of a son. Mrs. Garshore, of a daughter. Lady of Lieut. Jeremy of a daughter. The lady of Captain R. H. Cunliffe, of a son. Lady of N. B. Edmonstone, of a daughter. Mrs. S. Jones, of a daughter. Mrs. Wharhirst of a son.

APRIL.—Lady of Col. Blair, of a daughter. Lady of Captain T. Hodges, of a son. Lady of Lieut. G. Nichoettes, of a son. Mrs. A. Bruce, of a son. Lady of Lieut. Nugent, of a son. Mrs. Orde, of a daughter.

Lady of W. Browne, Esq. surgeon, of a son.

MAY.—Lady of Captain J. Paterson, of a daughter. Mrs. W. Adams, of a son. Lady of S. Marchison, Esq. of a son. Mrs. G. Sherborne, of a son. Lady of J. Sandford, Esq. of a son. Lady of Lieut. W. P. Kempe, of a son. Lady of J. Thornhill, Esq. of a son. Mrs. Perroux, of a daughter. Lady of Thomas Brooke, Esq. of a daughter. Lady of J. Browne, Esq. of a daughter.

JUNE.—Lady of Lieut. D. Macleod, engineer, of a son. Lady of J.S. Adams, Esq. of a son. Mrs. M. Pereira, of a daughter. Lady of Captain Logie, of a son. Lady of Reverend Mr. Brown, of a son. Lady of G. Ravenscroft, Esq. of a son. Mrs. Mountain, of a daughter. Mrs. A. Black of a son. Lady of Reverend M. Thompson, of a daughter. Mrs. Lavie, of a daughter. Mrs. E. M. Sandford of a son. Lady of A. Wilkson, Esq. of a son.

JULY.—Mrs. Burney, of a daughter. Lady of H. Young, Esq. of a son. Mr. G. Gibson of a son. Lady of O. L. Bie, Esq. of a son. Lady of J. Donithorne, Esq. of a son. Lady of Capt. J. Cook, of a son. Lady of Lieut. P. Comyn, of a son.

AUGUST.—Lady of R. Clintock, Esq. of a son. Lady of Capt. H. Sibly, of a daughter. Lady of J. Tayler, Esq. of a son. Lady of C. De Verrinne, Esq. of a daughter. Lady of Capt. Piercy of a son. Mrs. Stansbury, of a daughter. Mrs. Keene, of a daughter. Lady of Capt. Maxwell, of a daughter. Mrs. W. Blanchard, of a daughter. Lady of C. Buller, Esq. of a son. Lady of W. Loach, Esq. of a daughter.

SEPTEMBER.—Lady of Captain J. Grant, 17th dragoons, of a daughter. Mrs. L. Closen, of a son. Mrs. Delamain of twins, a boy and girl. Mrs. P. Macarthur, of a daughter. Lady of Captain H. Phillips, of a still-born child. Lady of Captain G. Beacher, of a son.

OCTOBER.—Lady of W. Iring, Esq. of a daughter. Lady of C. Davidson, Esq. of a son. Lady of G. Abbott, Esq. of a daughter. Lady of major Plumer, of a daughter. Lady of Lieut. Maclean, of a daughter. Lady of J. P. Larkins, Esq. of a son. Lady of H. Stone, Esq. of a daughter. Lady of G. D. Guthric, Esq. of a son. Lady of W. Money, Esq. of a daughter. Lady of Lieut. R. L. Dickson, N. C. of a son.

NOVEMBER.—Mrs. C. M. Hollingberry, of a son. Lady of R. K. Dick, Esq. of a son.

DECEMBER.—Lady of major O'Hollaran, of a daughter. Lady of J. Gibbon, Esq. of a daughter. Lady of Lieut. Beauregard of a son. Lady of Captain Littlejohn, of a son. Lady of Lieut. Leech, of a daughter. Lady of Major Maxwell, of a daughter. Lady of Lieut. T. Moir, of a son. Lady of P. Maitland, Esq. of a daughter. Lady of J. Lumsden, Esq. of a son. Honourable Mrs. Brooks, of a daughter. Lady of Capt. Hetsler, artillery, of a son. Lady of Capt. A. T. Watson of a son.

DEATHS.

JUNE, 1807.—Kodidjah Sultan Begum, sister of Nawaub Nadjaph Khan, Vizier to the late Emperor, Shah Allum, and relict of Nawaub Mosam Khan, brother to the Nawaub Sudder Jung. Captain W. Warden, of his majesty's ship Rattlesnake. Captain P. Crump. Mr. Assistant-surgeon Taylor, 22d regiment. Colonel J. Collins, resident at Lucknow. Cornet Craig, 3d regiment Native cavalry. Lieutenant-colonel A. M'Pherson, 14th regiment Native infantry. Lieutenant K[illegible]naway 10th regiment Native infantry.

JULY.—E. Thornton, Esq. magistrate of the twenty-four Pergunnas. Nairn Douglas Hunter, Esq.

AUGUST.—Mr. J. P. Deare, of his majesty's ship H. Wellesley. Lieutenant E. H. Mainwaring, 3d Native infantry. Captain P. Ramage,

Keith

Keith Indiaman. Lieutenant Biggard, his majesty's ship Belliqueux. Lieutenant C. Steirner. Captain W. Holland. G. Kelso, Esq. Mr. J. Hislop. Ensign Campbell, his majesty's 17th regiment. Captain C. S. Bungan. J. Tranchell, Esq. civil service. James Grey, Esq. Master of his majesty's troops. Dr. A. Gray.

SEPTEMBER.—W. Jackson, Esq. of the Supreme Court. Mrs. S. Dixon. Lady of Captain T. Robertson, engineer. Lieutenant J. Baber. Captain G. Freeman. T. M. Browne, Esq. F. M Arnott, Esq. J. Hunt, Esq. Captain C. Barker. Lieutenant M'Dougal, engineer. Captain G. Read, Native cavalry. Major H. Huet, 9th regiment Native infantry. Mr. J. Bussey. Lieutenant-colonel Wade, E. I. Captain J. Durand. Lieutenant F. Perney, his majesty's 22d regiment. A. M. Willock, Esq. C. S. F. B. Mylas, Esq. C. S. Mrs. S. Potts.

OCTOBER.—J. Gregg, Esq. assistant-surgeon. Captain C. Durande, of his majesty's 22d regiment. Lady of Gordon Forbes, Esq. G. Thompson, Esq. C. S. Mrs. E. Wheatley. Captain T. H. Spence. Miss Sanford. Mr. W. Scott. T. Liell, Esq. C. S. Captain D. Bodkin, his majesty's 67th regiment.

NOVEMBER. — Henry Crieghton, Esq. W. Grant, Esq. Captain D. Lyons, 25th regiment Native infantry. Mrs. A. Brown. Captain R. V. Brown, 7th regiment of Native infantry. Lieutenant-colonel P. Burrowes. Lieutenant A. Barnby, 8th regiment, Native cavalry.

G W. Lawrie, Esq. W. Noyes, Esq. Lieut. S. F. Robertson, 8th regiment Native infantry. Lieut. J. K. Ramsay, 11th Native infantry. Mrs. H. Brightman. C. Coote, Esq. Lieut. D. C. Levingstone. M. Godinho, Esq. Lieut. Fogo. Captain J. Robertson, 21st Native infantry. Mrs. C. Van Hoorn, aged 102 years. Lady of the Rev. Dr. Carey. Mrs. Hodgkinson. Captain O'Fraser, 65th regiment. T. Charters, Esq. Lieut.-col. W. Duff. Capt.-lieutenant Brown.

JANUARY, 1808. — Mrs. T. Spottiswood. Mr. Thos. Cw. Mr. Gray, of Purneah. Mrs. Burn. Mrs. F. Vrignon. C. Campbell, Esq. surgeon. Mrs. G. E. Davies. Mr. Backwell. Mr. J. Leary. Mr. W. B. Byrn. Captain G. W. Wiggins. Mrs. J. Robertson. C. S. Maling, Esq. C. S. H. Somerville, Esq. C. S. J. Edmonstone, Esq. C. S. Mr. J. Bourbon.

FEBRUARY. — Mrs. A. Dowling. Rev. J. De Costa. Capt. R. Best, artillery. Lady of Dr. W. Hunter.

MARCH.— Mr. E. Brightman. Miss M. Quicke. Ensign Stacy, 19th N.I. Lieut.-Col. J. Burnett, 13th N. I. Mr. J. Forbes. Capt. Hurlestone, H. M. 22d regiment. Miss M. H. Swaine. Mrs. C. Cooke. Mr. R. Baillie. Lieut. C. Whitfield, 26th N. I. Lieut. St. John Archer, 13th N. I.

APRIL. — Capt. M. Franks. Lieut. J. Chatfield. Capt. M. F. Smith. John Galloway, Esq. Robert Brydie, Esq. Major-general R. M. Dickens. J. H. T. Roberdeau, Esq. C. S. Ensign. G. Kember.

MAY. — Lady of J. Fombelle, Esq. Miss E. Manley, Capt. Francis Latter, 2d N. C.

JUNE.—Capt. P. Henry, H. M. 14th Reg. Lieut. W. Gother, 8th N. I. Ensign R. W. Lloyd, 16th N. I. Samuel Macan, Esq. C. S. R. Blachford, Esq. Mr. Lock, of the Experiment. Mr. R. Morice. H. M. S. Dasher. W. Bond, Esq. W. Dennis, quarter-master, 24th light dragoons.

JULY.—Mr. C. Pool, Pilot. W. Berrie, Esq. C. S. G. Falconer, Esq. Mr. A. Thompson, Midshipman. Mr. W. Basset.

AUGUST.— Mr. F. Hebron. Mr. J. Ferris, conductor of ordnance. Lieut. C. Gilmore, marine. Capt. J. Taylor, country service. Lieut. T. Dennis, 27th. N. I. Mr. J. Morrison. J. Williams, Esq. surgeon. Mr. W. Hufflett, ship Glory. Lieut. C. Macpherson, 20th N. I. Lieut.-Col. Wood, H. M. 17th reg. Mrs. Joseph de Souza. Lady of Capt. B. Browne.

SEPTEMBER.—Thos. Wiggell, Esq. purser. Mr. W. Harvey, military-board office. G. Proctor, Esq. surgeon 8th light dragoons. W. C e/, Esq. C. S. A. Logan, Esq. H. M. 67th reg. Lieut. J. Queue, sloop Victor.

OCTOBER.—Major Lynet Cotton, 17th light dragoons. Lady of J. Richardson, Esq. C. S. Lieut.-Col. Colebrooke,

brooke, surveyor general. F. Mills, Esq. H. Wakeman, Esq. C. S. Captain H. Phillips. Mrs. R. Blanchard. Mrs. A. French. Lieut. J. Meyrick. 22d N. I. Lady of W. Dring, Esq. J. Walker, Esq. C. S. Mr. F. F. Dade, ship Calcutta.

NOVEMBER. — Mr. T. Nicholson, assistant in the military-board office. Mr. J. D. C. Kirby. T. F. Bevan, Esq. C. S. J. Brice, Esq. commissioner of requests.

DECEMBER. — Major G. Downie, commanding the Calcutta Native militia. Ensign G. D. Macintyre. Lieut. T. T. Murphy, 26th N. I. Mrs. J. L. Kiernander.

MADRAS.

MARRIAGES.

JUNE, 1807— Lieut. P. Morrill, 10th N. I. to Miss C. Sago.

JULY. — Lieut.-col. Malcolm, resident at Mysore, to Miss C. Campbell. C. Harris, esq. C. S. to Miss M. Frith. J. T. O'Reilly, esq. to Miss J. S. Hunter. Capt. J. B. Wainhouse, N. I. to Miss R. M. Swarts.

AUGUST.—Lieut. J. Hampton, 7th N. I. to Mrs. M. Foster.

SEPTEMBER. — Lieut. G. Moore to Miss H. Dieman. G. Garrow, Esq. C. S. to Miss Baker.

OCTOBER. — Major Gurnell to Miss Molesworth. Capt. Menase Lopas Pereira, 11th reg. N. I. to Miss Marie Du Rhone. Lieut. Henry Dumas, 3d reg. N. I. to Miss Jane Jackson. J Plunkett, esq. to Miss A. D. Urilla. J. Cotton, esq. to Miss S. C. Stedman. Lieut. J. Wahab, 17th N. I. to Miss Lascelles.

DECEMBER. — Charles Fleming, esq. Surgeon, to Miss M. Gowdie. Capt. J. McDougall, 6th N. I. to Miss Z. De Goelies.

JANUARY, 1810.—Lieut.-col. Adams, 25th L. D. to Miss C. E. Le Geyt.

MARCH.—Lieut. P. David, 8th N. I. to Miss J. Durand. Lieut. M. Smith, 3d N. I. to Miss Haliburton. Mr. C. Burns, to Miss G. Lloyd. Cornet C. T. Ellis, 22d L. D. to Miss H. Topander.

APRIL.—Capt. Keasbury, to Mrs. Breithaupt.

JUNE.—Capt. W. C. Oliver, 6th N. I. to Miss S. J. Lang. S. Skinner, Esq. C. S. to Miss Routledge.

AUGUST.—L. A. Tulloh, 7th N. I to Miss Wahab. Mr W. Grey to Miss C. Lane. Mr. W. Urquhart to Miss S. Mayo. Lieutenant H. Dixon, 8th regiment Native Infantry, to Miss H. Adams.

SEPTEMBER.—Captain De Havilland, engineer, to Miss Saumarez. Mr. J. Anchant to Miss C. M. Maxwell T. Jarrett, Esq C. S. to Miss A Reynaud. Lieut J. J. Eckershall, 11th Native Infantry, to Miss C. Kinchant. Captain W. Macpherson to Mrs. Barbutt.

OCTOBER.—P. B. Pellew, Esq. to Miss Barlow, eldest daughter of Sir G. H. Barlow, Baronet, K. B. Captain Hart, of the Royal Navy, to Miss Williams. E. Wood, Esq. of his majesty's service, to Mrs. Mary Eillay. John Bird, Esq. to Miss Georgiana Mary Dodson. Mr. Samuel Davis to Miss Abigail Bastings. Alexander Kennedy, Esq. to Mrs Ure. Henry Russel, Esq. son of Sir Henry Russel, Knight, chief justice of the supreme court of judicature at Calcutta, to Miss Jane Amelia Casamaijor, second daughter of James Henry Casamaijor, Esq. member of council, at the presidency of Fort St. George. Lieutenant Edwin Oldnall, to Miss Jane Horsman. Lieutenant Wheeler to Mrs. Adelaide Ahier.

NOVEMBER. — Lieutenant-colonel J. Simons, 11th Native Infantry, to Miss J. Briton.

DECEMBER.—J. Babington, Esq. of the

the honourable company's civil service, to Miss Roebuck. Lieutenant Colonel Munro, quarter master general of the army, to Miss Charlotte Blacker. G. Ford, Esq. surgeon, to Miss E. Glasspoole.

BIRTHS.

JUNE, 1807.—The Lady of Lieut. Hadwin, of the 20th regiment N. I. of a son. The Lady of Capt. M'Cally 20th Native regiment of a son. The Lady of George Read, Esq. of a son. The Lady of Capt. Browne, of H. M. 59th regiment of a daughter. Mrs. Blyth of a son.

JULY.—The Lady of George Coleman, Esq. of a son. The Lady of A. Woodcock, Esq. of a son. The Lady of E. B. Dent, Esq. of a son. The Lady of John King Lane, Esq. of a daughter. The Lady of Captain J. Grant, of a daughter. The Lady of M. Dick, Esq. of a son. The Lady of major Boardman, of a daughter.

AUGUST.—The Lady of C. H. Higginson, Esq. of a daughter. The Lady of Edward Croft Greenway, Esq. of a son. Mrs. Luttrell of a daughter. Mrs. A. E. Sykes of a daughter. The Lady of Capt. Marett of a daughter. The Lady of J. Hay, Esq. of a son. The Lady of C. Churchill, Esq. of a son. The Lady of J. Byng, Esq of a son. Mrs. Bose of a daughter.

SEPTEMBER.—The Lady of A. Anstruther, Esq. of a son. The Lady of Lieut. Palin of a daughter. The Lady of J. Campbell, Esq. of a son. The Lady of major general Fuller of a daughter. The Lady of Capt. H. Broom, 22d L. D. of a daughter. Mrs. Haslewood of a daughter. The Lady of J. Lefouche, Esq. of a son.

OCTOBER.—The Lady of James Strange, Esq. of a daughter. Mrs. Yarde of a son. The Lady of William Mackintosh, Esq. of a son. The honourable Mrs. Murray, of a daughter. The Lady of William Hart, Esq. of a son. The Lady of Lieut. J. Hodgson, of a daughter. The Lady of Lieutenant Colonel Taylor, commandant of the Madras European regiment, of a son. The Lady of Captain Powell, of the 21st regiment N. I. of a daughter. The Lady of colonel M'Cally, of a daughter. The Lady of Lieut. Col. Durand, of a daughter.

NOVEMBER.—Lady of G. Moor, Esq. of a Son. Lady of Capt Molesworth of a Daughter. Mrs. J. Branson, of a Son.

DECEMBER.—Lady of Charles Marsh, Esq. of a Son

JANUARY, 1808.—The Lady of Lieut. Jackson, Fort Adjutant of Trichinopoly, of a daughter. Lady of the Honourable Sir Thomas Strange, Knt. chief justice of the supreme court of Judicature, of a son. Lady of C. Wetherell, Esq. of a son. Lady of Hugh Spottiswood, Esq. of a son. Lady of Captain De Bergeon, of H. M. regiment De Meuron, of a daughter.

MARCH.—Lady of J. N. Watts, Esq. of a son. Lady of A. Flower, Esq. of a son. Lady of S. McMullen, Esq. 59th reg. of a daughter.

APRIL.—Lady of Lieut. Wilson, 3d N. I. of a daughter. Mrs. Pepper of a son. Lady of G. Briggs, Esq. of a son.

MAY.—Lady of Capt. Stevenson, 25th N. I. of a son.—Lady of S. Dyer, Esq. of a son.

JUNE.—Mrs. W. Grant of a daughter. Mrs. Scallon of a son. Lady of J. Dalton, Esq. of a son. Lady of P. Neale, Esq. of a daughter. Lady of Lieut. McLean, Vellore, of a son. Lady of major Freese of a son. Lady of Lieut. Tritton, 24th L. D. of a daughter.

JULY.—Lady of T. Oakes, Esq. of a son. Lady of Capt Taynton, Artillery, of a son. Lady of Capt. Mandeville of a daughter. Lady of Lieut. Jones of a son.

AUGUST.—Lady of captain Corry, paymaster of H. M. 69th reg. of a son. Mrs. E Watts, of a son. Mrs. H. Falvey, of a daughter. Mrs. Bold of a still-born child. Lady of J. Cotton, Esq. of a daughter. Lady of major M. Cosby, brigade major in the northern division of Masulipatam, of a son. Lady of major William Boye, of

of the 24th reg. N. I. of a son. Lady of Capt. Gilbert Vaugh, barrack-master, of a son. Lady of Edward Croft Greenway, Esq. of a son. Lady of Major Gurnell, of a son. Mrs. Sherman, of a son.

SEPTEMBER.—Lady of J. Underwood, Esq. of a daughter. Lady of J. Campbell, surgeon, of a son. Lady of J. G. Ravenshaw, Esq. of a daughter. Lady of E. W. Stevenson, Esq. of a son. Mrs. Hunt of a son. Lady of Lieut. Wright, of a daughter. Lady of F. Reeves, Esq. of a son.

OCTOBER.—Lady of captain Barrow, H. M. 69th regiment, of a son. Lady of captain Showers of the Artillery, of a son. Lady of captain Cotgrave of the engineers, of a daughter. Mrs. Ahmuty, of a son. Lady of L. H. Sterling, Esq. of a daughter.

NOVEMBER.—Lady of A. Anstruther, Esq. of a daughter. Lady of major Brice, of the 24th Native regiment of a daughter. Lady of Lieut. Garrard, of the corps of engineers, of a daughter. Mrs. Blyth, of a daughter. Lady of Rev. Edward Vaughan of a daughter.

DECEMBER.—Lady of major general Fuller of a daughter.

DEATHS.

JUNE, 1807.—The infant daughter of Alexander Cockburn, Esq. Capt. T. Longan, 20th reg. N. I. Lieut. David Binny, of the 3d reg. N. I. Lieut. Col. Andrew Macpherson, of the 1st battalion 14th reg. N. I.

JULY.—George Smith, Esq. collector of Guntoor. Mr. James George Topander. Mr. Cadet. D. Grinstead. Mr. André Louis. The lady of George Coleman, Esq. judge of the Zillah of Chingleput. Capt. Squire Lecky of H. M. 25th light dragoons. Lieut. Col. Tanner, of the coast artillery. Charles Rolland, Esq. Mrs. Bishop. Mrs. Gericke. Cornet Tristram, of the 3d reg. Native cavalry.

AUGUST.—Mrs. Elizabeth Pritchard, wife of William Pritchard, Esq. garrison surgeon at Vellore. Assistant surgeon A. R. Sparke, of his majesty's 25th light dragoons. The infant son of Major Nuthall. John Smith, Esq. surgeon to his majesty's 94th regiment of foot. The lady of J. P. Knott, of the second regiment Native infantry. On Friday, the 14th inst. William Webb, Esq. C. S.

SEPTEMBER.—Captain Garrick Read, of the cavalry. John Dennis, Esq. master attendant. The infant daughter of major-general Fuller. The lady of John Hay, Esq. Mr. William Blood, cadet.

OCTOBER.—James Barter, Esq. garrison surgeon and medical store keeper. The infant daughter of captain Broome, his majesty's 22d light dragoons. The infant daughter of C. H. Higginson, Esq. Captain Phillip Le Couteur, of the 12th regt. Mr. Michael Hughes, conductor of ordnance. Lieutenant-colonel Du Pont, of the Invalid establishment. Mrs. Lucy du Puy. D. Fleming, Esq. surgeon of the Culloden.

NOVEMBER.—R. Fleming, Esq. Bengal service. W. Grant, Esq. supreme court. Lieutenant C. Turner, 9th native cavalry. Captain H. Mackintosh, 8th Native infantry.

DECEMBER.—Miss M. A. Brooke.

JANUARY, 1808.—Mr. Butler, son of captain Butler. The lady of lieutenant Stodart, of his majesty's 80th regt. William Henry Rand, infant son of captain Charles Rand. Mr. John Paterson. Miss Ann Maria De la Salle, in the 19th year of her age. William Edwards Esq. captain of his majesty's 34th regt. Lieutenant-colonel Alexander Macleod, commanding the garrison of Chittledroog. Lieutenant Spottiswood Lawson, of the 1st battalion, 14th regiment native infantry. Mr. Charles Harrison.

FEBRUARY.—Major P. Joyes, 7th Native regt. Major-general Sir W. Clarke, bart. T. Chase, Esq. C. S. W. Todd, Esq. S. I. Hector Shaw, Esq. C. S. Mr. J. Stevens.

MARCH.—Mr. J. Parr. Mrs. A. Jones.

MAY.—R. Meggison, Esq. C. S. Lieutenant M'Donal, his majesty's 34th regt. H. Taylor, Esq.

JUNE.

JUNE.—Mr. J. Jones. Infant daughter of F. Disney, Esq.

JULY.—G. Falconer, Esq. Captain M'Ghie, his majesty's 1st regt. W. Fillingham, Esq. 66th regt. Lieutenant G. Allen, 15th Native infantry.

AUGUST.—Captain Kingsley, artillery. Lieutenant Taylor, 15th Native infantry. Mrs. Vansomeren, Negapatam. Lieutenant Dunn. W. W. R. Hewlett, cadet. Mr S. Yates, commissary of stores. Lieutenant W. Ash, 7th regiment Native infantry. Ensign A. Magill, his majesty's 1st regt.

SEPTEMBER.—Lieutenant T. Thompson, of the second battalion, 19th regiment Native infantry. Lieutenant Reid, 5th regiment Native cavalry. Captain M'Dowall, his majesty's 33d regiment. Mrs. Von Geyer. Lieutenant J. Forbes Reid, of the 5th regiment Native cavalry. The honourable David Ruthven, of the H. C. C. service, Bengal establishment. Mr. John Graham, cadet. Captain Bolton, of the Bengal establishment.

OCTOBER.—Lieutenant Wade, of his majesty's 25th light dragoons. Mohavy Mahomed Causim, Cauzeeool Cazatt of the provinces subject to the government of Fort St. George. Mr. F. H. Smith, master of the Navy Tavern. Lieutenant-colonel George Dodsworth, of his majesty's 34th regiment of foot. Miss Catharine Pascal. Lieutenant Stoney of his majesty's 53d regt. Seth, the only son of Mr. Aviet Seth. Mr. Henry George Abich. Lieutenant Stewart Reid, of the 2d battalion, 2d regiment, N.I. Alexander Inverarity, Esq. surgeon, 3d regiment Native infantry.

NOVEMBER.—Miss Mary Anne Neale, daughter of Daniel Neale, Esq. Mr. William Bold. Mr. J. F. Moss. Captain Montague West, of the 8th regiment Native cavalry. James Fullarton, Esq. commercial resident. Mr. Samuel Jameson. Miss Elizabeth Stephens. Thomas Owen, Esq. Mathew Yates, Esq. of the honourable company's civil service. The infant son of C. H. Churchill, Esq. Mrs. Thomas Thomson. Tho. Boyer Hurdis, Esq. Junior Puisne judge of the court of Sudder and Foujdary Adawlet.

DECEMBER.—Henry Brown, Esq. C. S. Mrs. T. Nevill. Lieutenant J. A. Andrews.

BOMBAY.

MARRIAGES.

JUNE, 1807.—Lieutenant F. Donnelly, 6th regiment Native infantry, to Miss S. Bowles. Lieutenant W. H. Stanley, 8th regiment Native infantry, to Miss J. Martin.

AUGUST.—Lieut. W. Jones, to Mrs. M. Bell. Christian Von Geyer, Esq. to Miss Greenwoode.

SEPTEMBER.—Lieut. Hillhouse, 86th regiment, to Mrs. Wallace.

OCTOBER.—Lieut. R. Harrison, 6th Native infantry, to Miss E. Eyoob.

NOVEMBER.—Mr. M. De Souza, to Miss M. De Rosario.

DECEMBER.—Mr. Gramleck, assistant-surgeon 84th regiment, to Miss Margotty.

JANUARY, 1808.—Captain J. J. Smith, 8th Native infantry, to Miss C. Drummond. C. J. Rich, Esq. resident at Bagdat, to Miss Mackintosh, eldest daughter of Sir J. Mackintosh.

FEBRUARY.—Captain Morse, artillery, to Miss Trahorne. Lieut. Maw, to Mrs. Bland, widow of the late chief engineer.

APRIL.—J. Skrine, Esq. to Miss M. Weighman. Lieut. T. Dickenson, to Miss C. Deane.

MAY.—Lieut. J. Anderson, 9th Native infantry, to Miss M. Philpot.

JUNE.—Captain Powell, artillery, to Miss Langford.

JULY.—Captain Horton, 84th regiment, to Miss Territt. Lieut. Mack, marine, to Miss Nesbitt.

SEPTEMBER.—Captain Pope, to Miss Bridgeman.

BIRTHS

BIRTHS.

JUNE, 1807.—Lady of the Rev. N. Wade, of a daughter. Lady of Captain J. G. Richardson, of a son. Lady of Ensign Gell, of a daughter. Lady of J. Smee, Esq. of a daughter. Lady of Lieut. Browne, 59th regiment, of a daughter.

JULY.—Lady of W. Kennedy, Esq. of a son. Lady of L. Ashburner, Esq. of a daughter.

AUGUST.—Lady of R. Honner, Esq. of a son. Lady of Major W. Young, of a son.

SEPTEMBER.—Lady of Lieut.-colonel Orrock, of a daughter. Lady of J. Morison, Esq. of a son. Mrs. Webster, of a son.

OCTOBER.—Lady of Captain Hannah, his Majesty's 65th regiment, of a daughter. Lady of Captain R. Vincent, of a son. Lady of J. W. Money, Esq. of a son. Mrs. Debraam, of a daughter. Lady of T. Malcolm, of a son.

NOVEMBER.—Lady of Lieut. Gowan, marine, of a daughter.

DECEMBER.—Lady of B. Phillips, Esq. of a son. Lady of R. B. Perrin, Esq. of a son.

JANUARY, 1808.—Mrs. Boyer, of a daughter. Mrs. T. Howell, of a daughter.

FEBRUARY.—Lady of C. Forbes, Esq. of a daughter. Lady of Lieut. Pruen, of a daughter.

APRIL.—Lady of J. Leckie, Esq. of a daughter. Lady of J. Elphinstone, Esq. of a daughter. Lady of O. Wodehouse, Esq. of a daughter. Mrs. Paterson, of a daughter.

MAY.—Lady of Major-general Jones, of a daughter.

JUNE.—Lady of Brigadier-general Malcolm, of a daughter.

JULY.—Lady of R. Whitcombe, Esq. civil service, of a daughter.

AUGUST.—Lady of C. J. Briscoe, Esq. of a daughter.

SEPTEMBER.—Lady of J. P. Hadow, Esq. of a daughter. Lady of Lieut. J. Gell, of a son.

OCTOBER.—Lady of J. Wooler, Esq. of a son. Lady of W. Kennedy, of a daughter.

DEATHS.

JUNE, 1807.—Lieut. P. Robertson, 3d regiment Native infantry. Lieut. Tagger, his Majesty's 12th regiment.

JULY.—Ensign A. Carthew, 8th Native infantry. Lady of J. Douglas, Esq.

AUGUST.—Captain C. S. Bunyan. Lieut. R. Laprelle, 8th Native infantry. Infant daughter of W. Crawford, Esq. Lady of Colonel C. Boye.

SEPTEMBER.—Lieut. J. Powell, 1st reg. Native infantry. Major J. Greenly, 4th Native infantry.

OCTOBER.—A. Adamson, Esq. civil service. Captain G. Warden. Lieut. R. Campbell, 3d Native infantry. J. Barter, Esq. Lieut. W. Nesbitt. Mrs. Mackenzie. Mrs. Cope.

NOVEMBER.—J. G. Cocker, Esq. civil service. Lieut. J. Leighton, 2d Native infantry. Lieut. A. R. Bruce, 7th Native infantry.

DECEMBER.—Lieut. E. C. Pottinger, E. R. Captain P. Le Couteur, 12th Native infantry. Ensign J. Tramplet. Captain J. Frayer, country service.

JANUARY, 1808.—Lieut. S. W. Andrews, his Majesty's 84th regiment, lately at sea. Lieut. G. Simpson, R. N. Lady of Captain Armstrong, 9th Native infantry.

FEBRUARY.—Major-general J. Bellasis, commander of the forces, and colonel of artillery.

APRIL.—Ensign E. Herbert, 1st Gren. battalion.

MAY.—Captain R. Frame, country service. Lieut. C. Gilmour, marine.

JUNE.—Captain Dempster, country service. Mr. J. Wilson, ship Greville.

AUGUST.—Mrs. M. Rutterfield. Lieut. W. Watts, 4th Native infantry.

SEPTEMBER. Major W. Ince, artillery. Lieut. T. E. Newcomen, artillery. Surgeon Best, M. E.

OCTOBER.—Captain H. A. Shewcraft, artillery. Fletcher Hayes, Esq. civil service.

NOVEMBER.—J. Strachey, Esq. civil service.

DECEMBER.—Mr. Lonsdale, purser.

PRINCE

PRINCE OF WALES'S ISLAND.

MARRIAGE.

Lieut. J. Veitch, to Miss Oliphant.

BIRTHS.

Lady of J. Carnegy, Esq. of a son. Lady of B. Loftie, Esq. of a son. Lady of J. Hatton, Esq. of a daughter. Lady of P. Chiene, Esq. of a son. Lady of J. M. B. Adams, Esq. of a son.

DEATHS.

The Honourable P. Dundas, governor. J. Scott, Esq. Captain M. Shepherdson, country service. Mr. Young. Mr. Weidethold. J. Herriott, Esq. assistant-surgeon. J. Biggard, Esq. lieutenant of his Majesty's ship Belliqueux. Mr. Read. Mr. J. Orrock. J. Brown, Esq. Bombay civil service. Infant daughter of J. P. Hobson, Esq.

CEYLON.

MARRIAGES.

Captain Brown, 2d Ceylon regiment, to Miss Twissleton. Mr. F. Dickson, to Miss C. A. Conradi. W. H. Gleather, Esq. to Miss E. Lovelace. W. Orr, Esq. civil service, to Miss M. Mackay.

BIRTHS.

Lady of J. Christie, Esq. of a son. Lady of C. E. Layard, Esq. civil service, of a son. Honourable Mrs. Turnour, of a son. Lady of Lieutenant-colonel Kerr, of a son. Lady of L. C. Hook, Ceylon regiment, of two daughters.

DEATHS.

J. Trunchell, Esq. judge at Jaffna. F. Baron Mylius, judge at Matura. Lieut.-colonel J. Blackency, his Majesty's 86th regiment. Captain Pearce, his Majesty's 19th regiment. Lieutenant Butcher, his Majesty's 66th regiment. J. F. Conradi, Esq. Captain Driberg. P. Marshall, Esq. civil service.

BENCOOLEN.

DEATHS.

J. Parr, Esq. civil service. The hon. C. Murray, civil service. Lieut. J. Peard, 20th regiment, Bengal Native infantry. Lady of G. C. Master, Esq. Belfour Russell, Esq. civil service.

APPENDIX TO THE CHRONICLE.

Extract of a general letter to the Honourable Court of Directors, dated 23d March, 1807.

Para. 433. "We have recently directed the sum of pagodas 324, to be paid to lieutenant Wight of the 9th regiment of our Native infantry, on account of the private losses of that officer, in an action which he sustained with great judgment and gallantry, at the head of a small party of troops, against a considerable body of predatory Polygars."

434. "The subject having been brought to our attention in a communication from the resident at Hydrabad, who strongly recommends the case to public notice, we requested the commander-in-chief to take measures for ascertaining the extent of the claim; and lieutenant-general Stewart, reported the result at our consultation of the 6th instant.

435. "The public treasure, amounting to several lacs of rupees, which lieutenant Wight had been appointed to escort from Vellore to Hydrabad, having been saved from the banditti by his exertions, and by the sacrifice of his own baggage, we consider it to be just that we should compensate his private loss; and we have great pleasure in bringing lieutenant Wight under the notice of your honourable court, as a young officer of rising character. We beg leave to refer you to the dispatches from the resident at Hydrabad for an account of the transaction; and, as it must ever be of advantage to your service, that particular instances of merit should be publicly distinguished and rewarded, we anticipate your approval of our determination on the case.

Extract of a general letter from the Honourable Court of Directors, dated 30th July, 1806.

Para. 239. "Although we have not received the proceedings to which you refer, the narrative of lieutenant Wight's gallant conduct, given in those paragraphs, is sufficient to justify your resolution; and as you have stated that by his exertions he saved treasure to the amount of several lacs of pagodas, which he was appointed to escort from Vellore to Hydrabad, by the sacrifice of his own baggage, for which you remunerated him in the sum of pagodas 324, we authorize you to make him a gratuitous donation of pagodas 250 in addition thereto, as a mark of our sense of his good conduct on this occasion."

Address, to Major-general Campbell, &c.

Sir,—It is not without a lively sense of regret that the civil and military officers stationed in the ceded districts address you on the present occasion.

We perceive by the late orders of government, that you are removed from a scene where your exertions have long reflected so much credit on yourself individually, and from the influence they have had in firmly establishing the authority of the British government over a newly-acquired and widely-extended territory, have been productive of the most beneficial consequences to your employers.

While we shall all long and feelingly lament the loss of your society as a private gentleman, the military in particular, who have been immediately placed under your authority, would be wanting to themselves were they not to express the happiness they have enjoyed in obeying an officer, no less distinguished for his talents in command, than the urbanity and mildness which have marked the exercise of them.

In whatever station future events may place you, our best wishes for your health and welfare will ever attend you; and that providence may long permit the Indian army to enjoy the advantage of your ability, integrity, and experience, is the sincere and earnest desire of, Sir,

Your most obedient,
Humble servants,

Thomas Munro, collector. P. Bruce, judge. H. Shaw, sub-collector. Thos. Weston, assistant adjutant-general, for self and captain Reed, assist. quarter-master-general. Captain M Gregor, lieutenant Hankin, and lieutenant Trotter, 3d battalion, 5th regiment Native infantry. By desire, J. Travers, judge. J. Bird, register W. D. C. D. Webb Thackery, assistant to the judge. By desire, Frederick Gahagan, sub-collector. G. Martin, lieutenant colonel. W. Peyton, garrison surgeon. J. Duncan, superintending surgeon. C. D. M'. Cubbon, lieutenant 2d battalion, 5th regiment. G. Hankin do. J. Campbell, captain 34th regiment. D. W. Ross, lieutenant do. A. Connell, surgeon 5th regiment Native infantry. J. Hall, fort adjutant of Bellary. G. Bradley, lieutenant engineers. John Campbell, captain, J. A. C. D. G. Bradley, for lieutenant Herbert, 5th regiment Native infantry. P. Joyes, major 2d battalion, 7th regiment Native infantry. John Smith, lieutenant do. H. A. Bell, lieutenant do. G. E. Fitzpatrick, lieutenant do. G. Jackson, lieutenant do. B. B. Parlby, captain do. W. Hardy, lieutenant do. F. L. Burman, lieutenant do. D. Russell, lieutenant do. G. Bruce, assistant surgeon do. Thomas F. Wright, captain do. A. Balmain, captain do. M. Farmer, lieutenant do. Thomas F. Wright, captain do. for captain C. Heath and lieutenant John Foote, 2d battalion 7th regiment Native infantry. Lieutenant G. Maunsell, 2d battalion 5th regiment Native infantry. H. Macalister, H. M. 34th regiment. G. J. Goreham, captain-lieutenant artillery. E. S. Munro, lieutenant do. G. J. Gillespie, captain 4th regiment cavalry. H. O'Brien, captain do. Robert Palin, lieutenant do. G. Macquay, captain do. W. T. Erskine, cornet do. H. Meredith, lieutenant do. A. Fotheringham, cornet do. J. Best, deputy-commissary stores. G. Bowness, lieutenant-colonel. J. M. Everard, major 34th regiment. H. Roberts, captain do. M. Tew, lieutenant do. W. Hovenden, captain do. G. Carnegie, lieutenant and adjutant do. T. Davies, lieutenant do. John Graham, assistant surgeon do. C. H. Burton, lieutenant do. H. H. Torriano, B. M. C. D. J. W. Oliver, lieutenant 1st battalion 25th regiment Native infantry. R. Crewe, lieutenant do. S. S. Gummer, lieut. do. P. Henderson, lieutenant do. Thomas Becket, captain do. C. Aldridge, captain do. R. Taylor, captain do. J. Cuddy, assistant surgeon do. R. Taylor, captain of artillery C. S. R Stansey, captain 1st battalion 25th regiment. W. O'Reiley, lieutenant do. J. Wisset, captain 1st battalion 22d regiment native infantry. R. E. Langford, captain do. J. Dymock, captain do. W. Hankins, captain lieutenant

lieutenant do. J. Beard, lieutenant do. E. C. Davenport, lieutenant do. J. B. Scouler, lieutenant do. A. Hay, lieutenant do. G. Agnew, assistant surgeon do. J. Jameson, lieutenant do. T. S. Huntly, lieutenant 1st battalion, 22d regiment Native infantry. John Scott, lieutenant and adjutant 1st battalion, 22d regiment Native infantry.

Bellary, July 27, 1807.

Lieutenant-colonel George Martin, commanding 2d Battalion, 5th regiment, at Bellary.

Sir, — In acknowledging the receipt of your letter of the 13th instant, covering a most handsome address from the civil and military officers, serving in the ceded districts, on the occasion of my removal from that command to Mysore, I have to request you will accept my best acknowledgments for the obliging terms in which you have been pleased to make the communication, and that you will do me the honor to make known the enclosed reply, in whatever manner may be most agreeable.

I have the honour to be,
with the greatest regard,
Sir,
Your most obedient,
and most humble servant,
Dugald Campbell, M.G.

Madras, August 19, 1807.

To the Civil and Military Officers, serving in the Ceded Districts.

Gentlemen,—I was yesterday highly gratified by the receipt of your address, in consequence of my removal to the command of Mysore.

It will ever be a source of pleasing reflection to me, that the conduct I observed, while entrusted with my late command, has merited the approbation and regard of those with whom I have so long had the honour to act. I beg leave to observe, that, in whatever station I may hereafter be placed, I shall ever retain a grateful sense of the cordial support I have on all occasions experienced from you; and with the most sincere wishes for your honour and happiness, and for the prosperity of the ceded districts.

I have the honour to be,
Gentlemen, your
most obedient
and most faithful servant,
Dugald Campbell, M.G.

Madras, August 19, 1807.

Report of the Native Poor Fund Committee.

1. In closing the accounts of the Old Native Poor Fund, the committee to whom the management of that trust was delegated, embrace the occasion of exhibiting to the public a general statement of their proceedings, and of the various beneficial objects which the fund has promoted or accomplished.

2. In the address of the committee to the inhabitants of Madras, dated the 31st January, 1807, on occasion of the apprehensions, which were generally entertained of approaching famine, an account is given of the origin of the fund. It is there stated;---" At that time, (1782) a general subscription was opened for the relief of the native poor of this settlement, and it was most liberally encouraged, as well at Madras, as by the supreme government and inhabitants of Calcutta. A committee for the appropriation of the money thus subscribed was elected, consisting of the ministers and church wardens for the time being, together with some of the most respectable British, Portuguese, Armenian, and native inhabitants of Madras. Under the

the management of this committee, the funds of the charity were applied to the purchase of all the grain which could possibly be procured. Many thousands of distressed natives found immediate relief, and upwards of 2,000 remained, and for the space of several months were daily fed at the Monegar Choultry. The whole amount of the subscription would then have been expended, could sustenance have been obtained for a greater number of miserable objects. When this grievous calamity ceased, the committee determined to apply the balance, which remained, in a manner the most beneficial, and, next to the original intention, apparently the most consonant to the benevolent views of the subscribers. It was resolved that the interest accruing from this sum should be appropriated to the relief and maintenance of the sick, the aged, and infirm among "the native poor," and the principal should be preserved, in order to be in readiness to avert the miseries of famine, should it please Providence again to afflict this settlement with such a terrible dispensation."

3. The surplus of unappropriated subscriptions after the cessation of the famine of 1782, amounted to about 20,000 pagodas. The exact sum it is not in our power to ascertain, in consequence of the loss of the first number of the minutes of the committee, containing their proceedings from 1782 to 1784. There is every reason to believe that this volume, with some other papers, were in possession of Mr. A. Ross, a zealous and valuable member of the committee, at the time of his death; but the inquiries which have been made respecting them have not led to their discovery.

4. By the treaty of peace with Tippoo Sultan in 1784, it was stipulated, that the natives of the Carnatic who, during the late war, had been carrried captive to Mysore, should be allowed to return to their own country. But the encouragement afforded to these people by Tippoo to settle in the kingdom of Mysore, on the one hand, and the difficulties arising from the want of adequate means to return, as well as the exhausted and uninviting state of their native provinces, on the other, rendered the benefits of this stipulation nugatory. As an object of great public utility, the committee were earnestly solicitous to remove these impediments, and Mr. Dighton, then superintendent of the company's jaghire, received at various times, during the years 1784, 1785, and 1786, the sum of pagodas 2,300; for the distribution of which among the riots, weavers, &c. a discretionary power was vested in him by the committee. Mr. Dighton's statements afforded the most satisfactory evidence of the utility and success which attended his exertions. Donations thus judiciously distributed in money or implements of husbandry, had the effect of inspiring with new life and hopes numbers of helpless and desponding beings; of restoring many valuable manufacturers to the company; and, finally, of contributing to the recovery of those provinces from the desolate and depopulated state into which they were thrown by the combined evils of war and famine.

5. On the establishment of the asylum for female orphans, under the auspices of Lady Campbell, in 1786, the assistance of the committee

mittee to promote that benevolent institution was solicited. The flourishing state of the fund, admitting of such aid without detriment to objects of more immediate and especial concern, the committee conceived it conformable to the spirit and intention of the trust imposed in them, to assign over to that institution bonds to the amount of pagodas 6,000.

6. For the reasons adduced in the preceding paragraph, the committee, on the proposal for establishing an asylum for the male orphans of the military on the coast, resolved to appropriate the interest arising from the principal sum of pagodas 8,000 towards the support of that laudable establishment. This assistance was granted from the year 1788 to 1797; when the state of the poor fund would not allow, nor did that of the asylum require, a continuance of such support.

7. In consequence of an advertisement in the Calcutta Gazette of the 10th of July, 1788, intimating that the province of Bengal was threatened with the calamity of famine, for the prevention of which the inhabitants of Calcutta were invited to contribute by pecuniary subscriptions, the committee, actuated as well by those feelings of benevolence which are always due to fellow creatures in distress, as by a grateful remembrance of the liberal aid afforded by the supreme government and inhabitants of Calcutta to the native poor of the Carnatic, during the prevalence here of the late famine, determined to avail themselves of an opportunity which offered at that time of forwarding a supply of grain for the benefit of the distressed natives of Bengal. Eight hundred and twenty-two bags of rice were accordingly forwarded, and measures were arranged for the dispatch of further supplies; but these were happily rendered unnecessary by the removal of the apprehension of scarcity.

8. In 1792, the attention of the committee was directed to the means of affording accommodation and subsistence to distressed natives to the number of 1200. Of these many had been compelled to seek refuge at Madras, from the outrages of a party of predatory horse belonging to the enemy; and the rest were those who had emigrated from the northern Circars, which at that period of time were a prey to all the miseries of a desolating famine.

9. In April, 1799, the committee were again solicited to contribute to the support of a public institution: we allude to the native infirmary projected by Mr. Underwood. An establishment so intimately connected in its object with those to which the benefits of the poor fund were applied, demanded every aid which it was within the ability of the fund to afford. The committee accordingly resolved that 400 pagodas, being about the amount of the unappropriated annual income of the poor fund, should be subscribed yearly towards the support of the native infirmary during the pleasure of the committee; and this sum was regularly paid till the year 1803.

10. Until the introduction of vaccination into India, the encouragement among the natives of the practice of inoculating for the small pox, was an object of the committee's earnest and constant solicitude. The measures which were pursued for this purpose not having been attended with the desired success, the committee, in January,

January, 1800, by advertisement in the newspapers, offered a reward of one pagoda to the parents of each native child that should be inoculated during that season at Madras.

11. During the war with Hyder, in 1782, an order had been issued by government that all buildings, within a certain distance of the black town wall, should be thrown down. The place called the Monegar Choultry, having antecedently to the date of the order, been allowed by the proprietor to be appropriated to the accommodation of the numerous paupers whom the miseries of war, aggravated by those of famine, had driven to the presidency, the government was pleased, at the instance of the committee, and in consideration of the useful and benevolent purpose to which the Choultry was applied, to admit an exception of the order alluded to.

The Choultry, after the termination of those calamities, continued to be occupied by such paupers as were not in a condition to obtain by industry the necessaries of life. The number of such persons supported by the poor fund was liable, as may be supposed, to continual variation.

It may be observed, except on the occasion we have adverted to, which occurred in 1792, and in the instance of the present scarcity, that the number has rarely been fewer than forty, or has exceeded one hundred. Small sums of money were expended at different times on the building, as well in repairing as extending it, and rendering it more comfortable and commodious.

In the year 1802, the heir of the late proprietor represented to the committee that the Choultry, with the ground belonging to it, was his property; and he required that they should either pay him the value of it, or remove the poor elsewhere.

After various enquiries regarding the validity of the claim, an official reference was made on the subject; which, confirming the right of the claimant, the purchase of the premises, on account of the poor fund, was at length concluded, for pagodas 2,500.

12. On the occurrence of a vacancy in the committee, the method usually had recourse to in other charitable establishments has been adopted. The deficiency has been supplied by the election of a member of the same denomination as the person by whose removal or death the vacancy was occasioned.

13. In reviewing the operations of the poor fund, we have now arrived at that period when the attention of every person was engrossed by the alarming effects to be apprehended from the failure of the usual rains in 1806. The extensive territory lying between the Kishnah and Coleroon, had sustained almost an entire privation of this chief source of fertility and plenty. Apprehensions of a future famine gave rise to an immediate artificial scarcity. The price of grain became enhanced; and numbers, deprived of their accustomed agricultural employments, resorted to the presidency in the hope of obtaining a livelihood by other exertions of their industry.

14. During the latter part of December, 1806, and beginning of January, 1807, the number of paupers soliciting food at the Monegar Choultry was daily increasing. On the 16th January, upwards of 600 men, women, and children, were

were fed. On the 19th, the committee assembled for the purpose of devising means for the relief of the poor. Under a conviction that a severe scarcity, if not an actual famine, would this year afflict the Carnatic, the committee resolved that it behoved them to provide a large stock of grain for the use of the poor at Madras; and, if necessary, that the whole amount of the fund should be expended in this manner. That, in order to provide against the probable inadequacy of the present fund to meet this extensive and terrible calamity, and to insure the permanency of the establishment at the Monegar Choultry, the beneficial effects of which had been experienced nearly 25 years, that a charity sermon be preached at St. Mary's church, and subscriptions for the benefit of the Native poor immediatelysolicited at the several presidencies of Madras, Calcutta, and Bombay.

15. Early in February, the government liberally and judiciously determined to afford employment to all who were able to work, both at Madras and throughout the districts which were deprived of the benefit of the late periodical rains. This wise resolution, while it tended to relieve the poor fund from the obligation the committee otherwise would have conceived themselves under, of affording these poor creatures the means of subsistence, restrained, in a great measure, emigrations to the presidency; and thousands were usefully and advantageously employed, who must either have perished from want, or proved burdensome to the community. The pay which they received, while it was adequate to their support, was so far below the ordinary rate of labour as to prove that the benevolence of government would not be liable to abuse, and that those only would avail themselves of its liberality who were objects of compassion, and unable to obtain employment elsewhere.

16. The government, having thus humanely undertaken to provide for every one capable of corporeal labour, to the care of the committee devolved those who, from the debility of infancy or extreme age, from infirmity, sickness, on any other cause, were unable to minister to their own wants. Of such objects of compassion, an account of the number fed each day, has been published monthly in the government gazette. On the 6th instant, the number of men, women, and children, amounted to 4,050. In this number are included besides those maintained at the Choultry, and at the recently-erected inclosure in the vicinity of the powder mills, 243 persons who are permitted to reside at their own habitations. As these are all of respectable families, and have been reduced by ill fortune to a state of indigence, their residence at the Choultry has not been insisted on.

17. The ground belonging to the Choultry being encompassed by a hedge, the disadvantages of so insecure a fence, when the number of Paupers became considerable, were quickly discovered. The hedge was broken down, egress and ingress at any time were easy to all; and it was found impossible to restrain outrage, peculation, and a variety of abuses. As a measure of immediate expediency, it was determined that a stockade of palmiras should be formed, by which those persons, who were not objects of commiseration

ration might be excluded. This was of advantage; but the purpose was not effectually answered; and the space included within the stockade, when the paupers amounted to 2 or 3,000, was too confined; and their situation was rendered still more deplorable by the want of suitable sheds and accommodations. It was determined, afterwards, that the most eligible and ultimately economical plan would be to inclose the premises within a substantial wall, ten feet in height, from the top of which should slope along its whole extent, sheds, supported on brick pillars. It was also determined that the space within the wall should be levelled, that suitable cook-rooms, offices, and a guard house, should be erected, and that the old building should be completely repaired.

18. A contract was accordingly entered into for the performance of these works within a limited period, for the sum of Pagodas 2,130; from which is to be deducted the original costs of the palmiras forming the stockade, for which the contractor stipulated to allow.

19. Antecedently to the commencement of this building, it was deemed of importance to purchase two additional small pieces of ground, to be inclosed within the wall. This was done at the moderate price of pagodas 80.

20. With respect to the subscriptions at the several presidencies, 12,440 pagodas and 8 fanams have been contributed at Madras; sicca rupees 37, 301 at Calcutta; and, according to the last advices, rupees 20,360 at Bombay, forming an aggregate sum of pagodas 29,717,10.

21. The subscription at Calcutta having been applied to the purchase of grain, there is now in store rice to the amount of 8,522 bags, or garce 147; marcals 255, which consequently forms a part of the new fund. But as the expenses of the grain which has been imported exceed the amount of subscriptions in Bengal, a balance arises of upwards of pagodas 3,000 for which the new fund must be debited. The amount of the old fund, on the 31st December, 1806, has been stated in the address already referred to, at pagodas 18,343, 26, 49. By the accompanying accounts, it will be observed, that after defraying the charges of all the grain that has been expended in the subsistence during 7 months, on an average of about 2,560 persons daily; after allowing for the sum which will be due to the contractor on the completion of the wall and other buildings; and after the payment of every demand against the establishment to the present day, we resign to the trustees who may be appointed for the new contributions, besides the proprietary right of the Monegar Choultry, a clear balance in cash and grain of pagodas 7799 28 65.

22 Sensible of the valuable services of the acting secretary, the committee unanimously resolve to express their public thanks to Dr. Sherwood, for the able and zealous manner in which he has disinterestedly discharged a troublesome office.

(Signed) R. H. Kerr,
E. Vaughan,
W. Webb,
J. Baker,
J. Tulloh,
John D'Fries,
J. D'Monte,
John Shamier,
N. Andah Chitty,
Arnachellum Chitty.

Madras, August 10, 1807.

Colonel

Colonel Gillespie.

On the occasion of colonel Gillespie's recent departure from his command at Arcot, the following letter was addressed to that distinguished officer, by the officers of the 22d dragoons, to which he sent the annexed reply.

To Lieutenant-colonel Gillespie, commanding the cantonment of Arcot.

Sir,—We, the officers of the 22d dragoons, fully sensible of the gallantry, urbanity, and honourable conduct displayed by you upon all occasions, beg to express the regret we feel at your departure from this cantonment; and, at the same time, to lament that we should have served so short a time under your command.

We heartily wish you health, happiness, and success, and are,

Sir,

Your very sincere friends,

J. Hare, lieut.-col. 22d dragoons; R. Travers, major; J. Gordon, captain; T. Chadwick, captain; R. Miller, captain; J. Adshed, lieutenant; B T. Smith, lieutenant; J. W. Parsons, lieutenant; R. Slegg, lieutenant; F Hale, lieutenant; G. Kier, lieutenant; D. Stewart, cornet; F. Edwards, surgeon; H. Davis, lieutenant-colonel, 22d dragoons; H. Broome, captain; W. Blundell, captain; J. F. Paterson, captain; L. Hook, lieutenant; C. Dudlay, lieutenant; J. Vernon, lieutenant; N. Dalrymple, lieutenant; C. J Cozens, lieutenant; J. Eden, lieutenant; C. T. Ellis, cornet; E H. Hutchinson, P.M. F Tymon, assistant-surgeon

Arcot, December 26, 1807.

To Lieutenant-colonel Hare, and officers of His Majesty's 22d Light Dragoons.

Sir,---The good opinion of the officers of that respectable corps, his majesty's light dragoons, have honoured me with, is most gratifying;—as a soldier (to whom reputation is dear) most flattering; as an individual, pleasing.

Allow me, therefore, to return my most sincere acknowledgments, and to assure you it is more than reciprocal; the regret that I feel, in being removed from the society of a corps with whom I should have been on terms of intimacy, and with whom I should have gloried to have sought honour, opposed to the enemies of our country.

Believe me to remain, my dear Sir, with regret and esteem, your very obedient servant and friend,

(Signed) R. Rollo Gillespie,
Lieut.-col. 8th Light Dragoons.

Arcot, Dec. 26, 1807.

To L. Motard, Esq. Member of the Legion of Honour, and Captain Commandant of the French Frigate La Semilante.

Dear Sir,---Having at length reached that port which the chance of war has destined us to enter, we hasten to request that you will be pleased to accept our sincere and warmest acknowledgments for the many very polite and kind attentions you have shewn to our wants and comforts, during a period of nearly ten weeks we remained on board the frigate you command.

We are well aware of the irksomeness of the situation in which you have been placed, in having to conciliate the minds of a body of men, whose language, and even habits of life, in many instances, widely differ from your's, and whose nation is, at this period, unfortunately at war with your own; but, at the same time, feel happy in the occasion now afforded us of bearing honourable testimony to the perseverance you have evinced in the attempt, and ultimate success

success in so arduous an undertaking.

We have, also, to request you will have the goodness to express to your officers the grateful sense we entertain of the kind attentions they have on all occasions shewn us.

Mrs. Meik begs leave to add her tribute of praise, and truly grateful thanks, for the extremely polite and delicate manner in which you have at all times conducted yourself towards her. With sincere good wishes for your health and happiness We remain,

Dear Sir,

Your much obliged and

very obedient servants,

R. Turton, lieutenant-colonel, Bengal artillery; J. P. Keasbury, captain, Madras establishment; C. Bean, late commandant of the Gilwell; W. Richardson, late commandant of the Alithea; R. Dickie, late commandant of the Elizabeth; W. C. Ord, late passenger on the Alithea.

Port Napoleon, Nov. 1st, 1807.

Herrier Chitter Meeting.

November, 1807.

The gentlemen assembled at this meeting, observing the great improvement which had taken place in the breed of horses under the management of major Fraser, resolved to present to that gentleman a piece of plate. The resolution of the subcribers was communicated in the following correspondence:

Major William Fraser.

SIR,---The gentlemen assembled at the last Herrier Chitter meeting, observing the great improvement which had taken place in the breed of horses, in the provinces under the British government in Bengal, and sensible that this improvement was principally owing to your zeal and assiduity in the management of the company's stud at Pusa, entered into the resolution of requesting your acceptance of a piece of plate of the value of 500*l*. A majority of the subscribers have deputed me to make known to you their sentiments on this occasion; a task I have readily undertaken, as I sincerely concur with them in their opinion, and have, from the first establishment of the stud, personally been a witness to the success of your exertions.

The amount of the subscription will be remitted to Europe, that the resolutions of the subscribers may be carried into execution.

I am, Sir,

Your obedient humble servant,

(Signed) C. BODDAM.

Chuprah, Aug. 17, 1808.

To the Right Hon. Lord Minto, Governor General, &c. &c. &c.

Fort William.

MY LORD,—It is with the deepest regret I have the honor to inform your lordship, of the loss of the honourable company's extra ship Travers, under my command, on the 7th of November, at 5 o'clock, A. M. on a rock, detached from the Sunken island, in L. 15, 28 N. Lon. 94, 20 east, Diamond island, bearing W. by N.---distance about 3 miles,---Sunken island S. W. by S. distance one mile and a quarter. But I feel myself still happy in saying, the passengers, officers, and ship's company, with the exception of six Europeans, seven Chinese, and three Lascars, were all saved, and have been received by captain Heming, of the Earl Spencer. The deplorable state we were all in, having nothing but the clothes we had on, left most ample room for the display of his generosity. I now further beg leave to intrude upon

upon your lordship, a detail of this most melancholy catastrophe.

About ten minutes before five o'clock, A. M. on the 7th of November, when in our station on the starboard quarter of the Monarch, with the Earl Spencer in company, having hove the lead and got ground in twenty fathoms mud and fine sand, I went over to leeward, and saw breakers on the starboard beam and a head. I immediately hauled the ship close to the wind, but unfortunately, notwithstanding our exertions to clear the reef, we struck, about five, A. M. on a rock detached from Sunken island, the other two ships passing considerably within hail. The cause of their escape, I believe, was from my hailing and firing guns. At this time, the mizen mast went 15 feet above the board. The ship then bilged on the starboard side; and, in about five minutes, we lost the rudder, and the stern posts gave way. Finding it impossible to get the ship off, I ordered the main foremast and spare anchors to be cut away, and threw over the starboard guns to ease her. I then sent an officer down to secure the packets, which I regret was impracticable, as the water was level with the gun deck, part of which had given way. As it was now day-break, and we clearly could distinguish the ships standing on their course, we hoisted our ensign to the stump of our mizen-mast, with the union downwards; ---but not seeing that to have any effect, our only resource was now in our boats, which, with the greatest exertions of the officers and crew, having no masts left to which we could affix tackles, we were obliged to cut the gun-wale down to launch the long boat, and by dint of strength,---a labour which was rendered doubly difficult by the uneasy state of the ship, the sea having by this time made a complete breach over her. By seven o'clock, I had the happiness to see all the ladies, passengers, and crew, with the exception of the sixteen men mentioned, in the boats. The weather was so extremely squally, and a heavy sea running, I thought it not safe to allow more than ninety-three persons in the launch, she being so extremely deep, and eighteen in the cutter; but ordered the jolly boat back, though she was also very crowded, to endeavour to bring off as many of those remaining as possible; which I am sorry to say, from their obstinacy in persisting of not coming without their baggage, the officer was unable to effect,---excepting three. When we put off our situation was still more distressing, as captain Hawes of the Monarch, the senior officer, followed by the Earl Spencer, had gone to so great a distance, that we could not discern the ships. I had in my pocket a compass, and steering W. S W. in about an hour and a half descried them at a distance of about ten or eleven miles. The boats shipping much water kept us constantly bailing, which gave me at one time much apprehension, from the severity of the weather, of our not being able to reach them. But, to our great joy, about 11 A. M. we were all safe on board the Earl Spencer.

I cannot close my letter without mentioning to your Lordship, the extreme good conduct of my officers and ship's company, whose behaviour throughout this disastrous and dreadful scene, was most exemplary. I must also beg leave to call your lordship's attention to the most distressing state of myself, officers, passengers, and crew,

(among

(among whom are several ladies) who have all lost every thing we possessed.

I must also humbly solicit your lordship to order as early an investigation as possible of the cause of the loss of the Travers. As I conceive no blame can attach to me, I have no doubt but I shall be able to give your lordship a satisfactory justification of my conduct, in the whole of this unfortunate business.

I have the honor to be, with respect,

My Lord,

Your Lordship's most obedient, most humble servant,

(Signed) J. Collins.

ADMIRALTY-OFFICE,

December, 17.

Copy of a letter from Rear-Admiral Sir Edward Pellew, bart. Commander-in-chief of his Majesty's ships and vessels in the East Indies, to the honourable W. W. Pole, dated on board his Majesty's ship Culloden, in Bombay Harbour, the 7th April.

Sir,---I request you will transmit to the right honourable the lords commissioners of the Admiralty, the inclosed letter from lieutenant William Dawson, acting in the command of his Majesty's ship St. Fiorenzo, stating the particulars of the capture of La Piedmontese French frigate, mounting fifty guns, on the 8th ultimo, in the gulph of Manaar.

In making this communication to their lordships, I am desirous of expressing those mingled sentiments of admiration and concern which I experience in the loss of Captain George Nicholas Hardinge, who fell in the moment of victory, after having exerted, during three successive days, the most remarkable zeal, gallantry, and judgment, in the conduct of this very brilliant action. His Majesty's service has been thus deprived of a most excellent and distinguished officer, of whom the highest expectations have been justly formed, from a knowledge of his many great and excellent qualities.

The merit of Lieutenant William Dawson, upon whom the command devolved after the death of Captain Hardinge, is already well known to the board by his gallant behaviour on a former occasion, when he was severely wounded at the capture of the Psyche frigate by the St. Fiorenzo, in which nearly the whole of her present officers and crew had the honour to share.

The manner in which he continued the action, which had been so nearly concluded by his lamented Captain, and finally conducted it to a successful issue, will, doubtless, secure to him t he high approbation and recompense of their lordships.

The undaunted bravery, the animated and persevering exertions of every officer, seaman, and marine, on board the St. Fiorenzo, have been truly worthy of the beloved country in whose cause they have been so nobly engaged;—the public gratitude will be commensurate with their eminent services.

I learn that the St. Fiorenzo had arrived with her prize in safety at Columbo, from whence she may shortly be expected at this port.

I have the honour, to be, &c.

Edward Pellew.

His

His Majesty's ship St. Fiorenzo, at Sea, March, 2.

SIR,---It is with great regret I have to inform you of the death of Captain Hardinge, late of his Majesty's ship St. Fiorenzo, who fell gloriously in the early part of an action on the 8th instant, between his Majesty's ship St. Fiorenzo, and the French national frigate La Piedmontese.

The St. Fiorenzo sailed from Point de Galle on Friday the 4th instant, at half past eleven, A. M. On the 6th, at 7, A. M. passed three Indiamen, and, shortly after, saw a frigate bearing N. E. We immediately hauled our wind in chace, and made all sail, being in that time lat. 7. 32. long. 77. 58. We made the private signal, which was not answered; and at five shewed our colours, which the enemy took no notice of. At forty minutes past eleven, P. M. we ranged alongside of him on the larboard tack, and received his broadside. After engaging till fifty minutes past eleven, P. M. within a cable's length, the enemy made sail a-head, out of the range of our shot; we ceased firing, and made all sail after him; continuing to come up with him till day-light; when, finding he could not avoid an action, he wore, as did we also. At twenty-five minutes past six recommenced the action, at the distance of half a mile, gradually closing with him to a quarter of a mile. The fire was constant and well directed on both sides, though that of the enemy slackened towards the latter part of the action. At a quarter past eight P. M. the enemy made all sail away; our main-topsail-yard being shot through, the main royal mast, and both main-topmast-stays, the main-spring-stay, and most of the standing and running rigging, and all our sails shot to pieces, and most of our cartridges fired away, (as our guns were directed at his hull he was not much disabled about his rigging,) we ceased firing, and employed all hands in repairing the damages sustained, and fitting the ship again for action. From the great injury our masts, yards, and sails had received, I am sorry to observe, that it was not in our power to renew the action immediately; we, however, succeeded in keeping sight of him during the night; and at nine A. M. on the 8th, the ship being perfectly prepared for action, we bore down upon the enemy under all sail; he did not endeavour to avoid us till we hauled athwart his stern, for the purpose of gaining the weather gage, and bringing him to close fight, when he hauled up also and made all sail; but perceiving that we came fast up with him, and that an action was inevitable, he tacked, and at three we passed each other on opposite tacks, and recommenced action within a quarter of a cable's length. With grief I have to observe, that our brave Captain was killed by a grape-shot the second broadside. When the enemy was abaft our beam he wore, and, after an hour and twenty minutes close action, struck their colours, and waved their hats for a boat to be sent them. She proved to be La Piedmontese, commanded by Monsieur Epron, Capitaine du

Vaisseux;

Vaisseux; she mounts fifty guns, long eighteen pounders on her main-deck, and thirty-six pound carronades on her quarter-deck. She had three hundred and sixty-six Frenchmen on board, and nearly two hundred Lascars, who worked their sails. She sailed from the Isle of France on the 30th of December. In the action she had forty-eight killed, and one hundred and twelve wounded. The St. Fiorenzo has thirteen killed, and twenty-five wounded; most of the latter are in a most promising way. A list of them I have the honour to inclose for your information. The enemy was cut to pieces in his masts, bowsprit, and rigging; and they all went by the board during the night.

It is now a pleasing part of my duty to recommend to your particular notice the cool, steady, and gallant conduct of lieutenants Edward Davies and Henry George Moysey; the latter, I am sorry to add, was severely wounded about ten minutes before the enemy struck. I also experienced very great assistance from Mr. Donovan, the master, by the judicious and seaman-like manner in which he laid us close alongside the enemy. To lieutenant Samuel Ashmore, of the royal marines, I am muchindebted, for the cool and determined courage evinced by him through the whole action. Indeed, every officer, petty officer, seaman, and marine in the ship behaved in the most brave and gallant manner, and nobly maintained the pre-eminence of the British flag. In the first boat from the prize came Mr. W. F. Black, assistant surgeon of his Majesty's 86th regiment, captured by the Piedmontese on his passage to Madras, who rendered the surgeon great assistance.

I am also much indebted to the officers of the army, and the captains and officers of the country ships, who were prisoners on board the enemy, for the great assistance they afforded us with their Lascars, in erecting jury masts, and working the ship into port, as from our weak state, and the great number of prisoners on board us, we could spare but few hands from our own ship to send on board the prize. I have the honour to be, &c.

WILLIAM DAWSON.

To Sir Edward Pellew, bart. Rear-Admiral of the Red, and Commander-in-Chief of his Majesty's ships and vessels in the East Indies.

List of officers, seamen, and marines killed and wounded on board his Majesty's ship St. Fiorenzo, in action with La Piedmontese French national frigate, on the 6th, 7th, and 8th March, 1808.

Wounded on the 6th. — William Pitt, seaman, slightly. John Treacy, supernumerary seaman, ditto. William Miller, seaman, ditto.

Killed on the 7th.—Thomas Martin, seaman. Charles Smallwood, ditto. Robert Currell, ditto. John Middleton, ditto. William Mead, supernumerary seaman. Wm. Martin, marine. John Luff, ditto. Joseph Litchfield, do.

Wounded on the 7th.—John Meadows, seaman, dangerously; since dead. Wm. Baldwin, seaman, lost a leg, since dead. George Byng, seaman, severely. John Finch, seaman, ditto. Francis Jackman, seaman, ditto. Walter Boze, seaman, ditto Wm. Long, seaman, do. John Acton, seaman, lost two arms. Phillip Ulrick, seaman, severely. Wm. Wakefield, seaman, lost an arm. Richard Lock, seaman, slightly. William

liam John Brown, quarter-master, do. John Ellier, seaman, do. Benjamin marine, ditto.

Killed on the 8th.—George Nicholas Hardinge, Esq. captain. John Beer, seaman. John Burn, do. Evan Jones, marine.

Wounded on the 8th.—Henry George Moysey, lieut. severely. Thomas Gadsby, carpenter's mate, ditto. Thomas Clerk, seaman, dangerously. John M'Ewen, corporal of marines, ditto. Charles Richards, marine, lost an arm. Wm. Pope, marine, dangerously, since dead. Henry Thorn, boatswain's mate, slightly. Wm. Davis, seaman, ditto. George Anger, seaman, ditto.

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OF THE

EAST INDIA COMPANY.

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Charles Grant, Esq. M. P. 40, Russel-square.
John Roberts, Esq. 2, John Street, Bedford Row.
Sir William Bensley, Bart. 53, Berners Street.
Jacob Bosanquet, Esq. Brosebournebury, Herts.
John Travers, Esq. 25, Bedford Place, Russel Square.
Charles Mills, Esq. M. P. 15, New Burlington Street.
The Hon. William Fullarton Elphinstone, 2, Upper Harley Street.
Abraham Robarts, Esq. M. P. 49, Lower Grosvenor Street.
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Joseph Cotton, Esq. Laytonstone, Essex.
George Smith, Esq. M. P. 68, Harley Street.
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John Hudleston, Esq. 54, Margaret Street, Cavendish Square.
John Inglis, Esq. 27, Mark Lane.
Thomas Reid, Esq. 7, Broad Street Buildings.
John Bebb, Esq. 8, Gloucester Place.
James Pathson, Esq. Hill Street, Berkeley Square.
Campbell Marjoribanks, Esq. 51, Berners street.
John Jackson, Esq. M. P. 9, New Broad Street.
George Abercrombie Robinson, Esq. Woodcote Place, near Epsom.
John Alexander Rannerman, Esq. 2 Harley Place.

The Chairman and Deputy Chairman are all of Committees.

The following gentlemen went out by rotation in April, 1810, viz.

John Manship, Esq.
Sir Francis Baring, Bart.
Sir Hugh Inglis, Bart.
Sir Theophilus Metcalfe, Bart.
George Woodford Thellusson, Esq. M. P.
George Millet, Esq.

PROCEEDINGS AT THE INDIA HOUSE.

FOR 1808.

EAST INDIA HOUSE,
March 30th, 1808.

A court of proprietors of the East India company was held this day, when the different accounts ordered by the bye-laws to be submitted annually to the court, were laid on the table.

Mr. Rock wished to be informed if these accounts would enable the proprietors to form any thing like a correct judgment of the general state of the company's affairs. He alluded to the practice of submitting to the court all such papers as were laid before the House of Commons when the India budget was regularly brought forward; and as it was understood that there was to be no budget this year, it was the more necessary that the proprietors should be possessed of such documents as would enable them to form some idea of the actual situation of their affairs.

The Chairman admitted that the papers now laid on the table did not afford any satisfactory view of the state of the general affairs of the company.

Mr. Rock repeated his wish, that every document necessary to enable the proprietors to form a judgment as to the actual state of the company's affairs should be laid before them as speedily as possible.

Mr. Grant, said, it was not to be supposed that the court of directors would submit evidence to parliament to enable it and the public to judge of the state of the company's affairs, and would withhold similar evidence from their own constituents.

Mr Randle Jackson was of opinion that the anxiety of his brother proprietor was by no means surprising. He was convinced that respectable gentleman meant nothing inconsistent with the forms of proceeding of the court, or derogatory from that feeling of confidence which it was natural for the court to place in its executive body. When the accounts were before the proprietors, a court would, of course, be summoned to consider of them, and then it would be in the power of the worthy propriétor to move such resolutions upon them as he might deem proper, or, if he should be of opinion that the accounts produced were not sufficient to enable the court to form a judgment, he could move for such additional papers as he might think nessary. He confessed that he himself felt particularly anxious as to the present situation of the company, and he knew that his was not a solitary feeling, but one in which many of the proprietors, with whom he had conversed, participated. Those who recollected the committee, similar to that now sitting, which had the company's affairs under consideration in 1802, must necessarily feel anxious that the progress of the present committee should be watched. Some innovation or alteration might be in agitation, and if so, it was necessary to see that the guarantee of the privileges of the company should go hand in hand with it. Guarantee was a slow-paced companion to innovation where they did not start together. He did not distrust the great body of the present ministry — he believed many of them to be as honest men as ever ruled a nation. Governments, however, would be governments, and must even, in some measure, yield to the prejudices of the people. There was no

 subject

subject on which the public were so completely prejudiced, or so radically mistaken, as with respect to the East India Company. It was but recently that the public had known that the country, and not the company itself, managed the company's political concerns. If the company had committed any mercantile sins, the committee now appointed, probably, would judge of them, and visit them as such. He wished the public to know, that since 1784, the country was an articled partner of the company, and that all the company's affairs in short were managed by the direction of the public. There was another serious charge against the company, which he wished to set right, in the public estimation.---It was generally supposed that the company was indebted to government to the extent of five millions and a half, arising from the agreement to pay 500,000l. annually. This sum, he wished it to be understood, was merely conditional, and to be demandable only in the situation of the company warranting the payment---a situation in which they had not been since the first year after the agreement was made. They had been at war ever since, and that being the case, the very terms of the act put it out of their power to make any payment to government. It was impossible to go about through this metropolis, and not hear the East India Company talked of, as defaulters to the country, while that country was not merely a partner, but the acting-partner in the concern. The learned gentleman (Mr. Jackson) assumed credit to himself for the part he had acted in regard to this 500,000l. Had he not interfered, that sum, instead of being contingent, would have been absolute and unconditional, and the company would, at this moment, have been indebted to government to the extent of six millions. He was far from arraigning the conduct of gentlemen on the other side of the table in this business, but still he could not help congratulating himself and the company on the part he had then acted. He was convinced the directors would lend every possible attention to the interests of the company, and particularly to the progress of the committee now appointed to examine into their affairs. They would, however, at the same time, he was equally satisfied, place such liberal confidence in the proprietors as to call them together, whenever any thing, in which they were materially interested, should happen to transpire, assured, as they must be, that that court did not wish to meet from political or factious motives, but for the sake of deliberating on what was for the common interest of the company. They met as merchants, not as politicians. He again repeated, however, that the company ought not to part with any of its existing privileges, without a guarantee for those which were to be granted in lieu of them. He begged it to be considered as a leading proposition, that no innovation ought to be submitted to without a suitable indemnity.

Mr. Grant said, as to the committee alluded to, it was yet too young to have come to any opinion on the subject. He hoped, however, it was no part of the wish of that committee to trench on the privileges of the company as they now existed. He was a member of that committee, and he could discover no such disposition to prevail in it. So far from blaming the honourable proprietor for his anxiety

anxiety on account of the company, he thought him entitled to thanks for his attention. He trusted the proprietors were convinced that the directors would not willingly surrender the privileges of their constituents; but that they would be assured that the jealousy of their executive body would not sleep if any alteration or innovation on their rights was attempted. He agreed entirely with the learned gentleman in expressing his sorrow at the foolish prejudices which existed out of doors against the company, and in deploring the lamentable ignorance of the public as to the nature of their establishment. He was satisfied, however, notwithstanding these prejudices, that the company would not be sacrified to them without a hearing. He also agreed with the learned proprietor, that nothing could be plainer to any person who could read, than this, that the event in which the 500,000*l.* was to be paid by the company had never occurred, except in the first year after the act passed. With this explanation he hoped the court would be satisfied. Adjourned.

April 25, 1808.

This day a general court was held at the East India house, summoned on especial affairs, which was very numerously attended.

After the usual forms, the chairman (Mr. Edward Parry) stated to the court that a deficit of two millions, four hundred thousand pounds, existing in the present accounts of the company, it was deemed expedient to prepare a petition to parliament for relief, and to submit the same for the consideration and approbation of the proprietors; the more especially was this step necessary, as instead of the annual India budget, the state of the company's finances had been submitted to the examination of a committee of the House of Commons, who, he had the pleasure to say, were disposed to recommend it to the House to make an immediate payment on account of the debt due from government to the company, of 1,200,000*l.* The causes of the present deficit arose,

1st. From the vast amount of the debt accumulated in India, in respect of the British territory, and the high rate of interest such debt bears.

2d. The sums advanced for the various warlike expeditions.

3d. The deterioration occasioned in the company, by a state of European war since 1793, by freight and demurrage, which in the course of fourteen years have created an increase of expense of 7,000,000*l.* sterling. By cost of the manufactures of this country, exported to the annual amount of about 1,600,000*l.* sterling, there has been an increase, which has not been counterbalanced by an increase in the selling price abroad in the same goods, nor by diminution in the cost of goods, purchased abroad for importation to Europe, and in diminution of profits on the India investments homeward.

4th. The large supplies in goods and bullion between the years 1802 and 1806, for the purpose of extending the British trade to the East Indies, for which supplies there has been no proportionate return in consequence of the expenses of the war.

5th. The unusually small investments from India, during the years 1803. 1804, and 1805.

6th. The great advances made out of the funds at home, between the

the years 1797 and 1807, for supplies in goods and bullion, which exceeded the returns from India and China, by the sum of 5,691,289*l*.

The CHAIRMAN then stated, the unquestionable ability of the company to discharge all their present debts in England, and to repay any aid that might be afforded; for, independent of the Indian debt, only chargeable on the territories in India, on the 1st March last, the sum total of debts, with and without interest, including the debt due to his Majesty for customs and excise, then amounted to 9,122,621*l*. whilst the sum owing by the public, and other good debts, and value of goods now unsold, houses, warehouses, &c. amount to 14,149,623*l*. whilst goods expected from India and China, in the course of the present year, will amount to 5,271,000*l*.; which, together, would make the tangible property in England 19,420,623*l*.

The Chairman then moved, that the petition might be read; which having been accordingly done, the Chairman also moved, that the said petition be approved, the company's seal affixed thereto, and that the deputy chairman (Mr. Grant) be requested to present the same to the House of Commons.

Mr. PRINSEP had no objection to the prayer of the petition for relief, but would by no means be implicated in a concurrence with all the allegations therein, as he could not instantly make up his mind in so vast a complication of figures.

The Deputy Chairman (Mr. Grant) agreed with the honourable proprietor as to the propriety of the reservation he had claimed; but the time was precious; it was probable the House would themselves call for documents, when the proprietors would be able to examine the grounds of the allegation.

On the question being put—

Mr. RANDLE JACKSON went at some length into the grounds on which the petition was presented. He contended that the public were bound by a great moral obligation to concede to the relief prayed for; high national purposes had produced the present embarrassments, and it well became the nation to afford redress. Mr. Jackson, after dwelling on all the different reasonings stated in the petition, concluded a most able and convincing speech, by giving his assent to the question.

Colonel SCOTT, after thanking the learned proprietor for his able address in favour of the company's claims on the public, adverted to former days, and to the high obligations they owed to the company, so far back as the brilliant eras of Lawrence and Clive.

Mr. DIXON thought the court ought to make good their assertion of being able to discharge the loan: he was satisfied that there was not a ray of hope for such an event taking place. He never could see a justification for the present dividend from the profits of trade, the only calculation which could with propriety justify so large a division. The chair had a great responsibility in asserting the future power of repayment. Under these assertions he should shelter himself in the vote he intended to give in favour of the petition.

Mr. LOWNDES spoke in his usual eccentric and forcible mode, in favour of retrenchments. He wished to be let into the natnre of the *secret service money*. He should wish

wish to have his *interest*, but not inconsistent with his honour. He thought that the establishment should be reduced, and was for abolishing all the patronage, and giving the directors 1000*l.* per annum, instead of 300*l.*

The Deputy Chairman had no objection to observations, provided they were considerate ones. He wished to answer assertions by official documents, and proceeded to prove the ultimate validity of the company's credit. He had no doubt but the company would soon be in possession of a large surplus. He defended the present dividend, which proceeded from a solemn compact between the Company and the public. With respect to economy, he agreed that it was necessary; and observed, that retrenchments were going forward in India, which would produce a million sterling. With respect to secret service money, it had been employed not to fill the directors' pockets, but on affairs which could not be explained, necessary for the welfare of the company.

Mr. Dixon thanked the deputy chairman for an explanation which had greatly relieved his mind.

Mr. Lowndes explained with respect to secret service money:— it was patronage he alluded to.

Captain K. Smith said a few words.

Mr. Kemble was happy that the statement now produced afforded a more pleasing view of the company's affairs than had gone forth to the public. He expressed his perfect approbation of the question.

Mr. Lushington was glad to find the company's future resources were so competent to meet their present embarrassments.

Mr. M. Rock said a few words in justification of his former proposal for a reduction of the dividend.

To which the Deputy Chairman and Mr. Randle Jackson most ably replied.

The question was then put and carried unanimously in the affirmative; and the court adjourned at past two o'clock *sine die*.

December 21.

A quarterly general court was held this day, when the dividend on the capital stock of the company, from 5th July last to the 5th January next, was declared to be 5½ per cent.

After the dividend had been declared, and the chairman had stated the tranquil state in which the last accounts left India,

Mr. Randle Jackson rose, to call the attention of the court to a subject of national consequence, and which, he said, had pressed much upon his mind for a considerable time past; but respecting which, recent circumstances had determined him to remain no longer silent: he meant the extraordinary and inexplicable, to him, ascendancy of the enemy's cruizers in the Indian seas, and the dreadful ravages which they had been tamely permitted to commit upon British property, and the still greater dishonour which they had brought upon the country. He rejoiced to have just heard from the chairman the account which he had given of the peace of India, and of the security of our Oriental possessions; he wished he could say as much for the security of the Indian seas, and the property which was necessarily adventured upon them. Who could believe, asked Mr. Jackson, that with a maritime force, greater than had been usually kept in these seas, the trade of them had been so completely unprotected, that the Calcutta insurance companies alone had

had paid losses to the amount of more than two millions of money within the last seven or eight years; and that in the month of September and October only, of the year 1807, their losses had been upwards of 290,000; that these as well as numerous other captures, had been effected by two French frigates, and (principally) by the Revennant privateer of 16 guns, which latter had scoured those seas for three months together, and in fact blockaded, during that time, the Bay of Bengal, although a great maritime force, with an admiral's flag, and several pendants flying, were then lying within three hundred miles of this scene of depredation? He understood it to be stated in a memorial (from which he gathered these facts) from the Calcutta merchants to the board of Admiralty, that although the destination of these frigates and of this privateer was known at the station of Madras, in September, yet at the date of the memorial, namely, in the December following, not a vessel had been sent for the protection of the bay, till at length the imperial government of India had been compelled to do, what America had pretended to do on account of the confederated maritime strength of the world, namely, lay an embargo on its shipping, in order to keep them from the devouring jaws of this terrible privateer of 16 guns, which had had, it was said, the no less extraordinary good luck to preserve every one of its prizes from re-capture, though it had to send them through a known track of three thousand miles to the Isles of Mauritius and Bourbon ---Mr. Jackson added, that the Madras government, with that feeling which became it for our fellow-subjects of India, labouring under the horrors of famine, has advertised great encouragement to ships bringing corn for their relief; in consequence of which, the shipping interest had directed its attention to this object; when, shocking as it should seem, if the memorial spoke truth, no one ship that the memorialists knew of had been sent out to protect these vessels; the consequence of which was, that a considerable part of the provisions thus intended to save our subjects from death, had been captured by the enemy. Mr. Jackson observed, that a marine could only be created, through the medium of commerce, or through that of ships of war; our great enemy not having the former means in his power, was known, though silently, and perhaps slowly, but surely, to be creating a body of most adventurous, hardy, and skilful sailors through the latter medium, the whole of which he would call to his service, whenever the affairs of the continent should admit of his directing his energies to his marine. If his conduct in this respect did not declare his meaning, the encouraging proclamations he had issued to merchants, so to direct their capital, and to officers and seamen so to direct their valour, would sufficiently establish it. Mr. Jackson said, he would not suppose it possible, but that the directors had made the strongest representations in the proper quarter; if not, he adjured them to do so without a moment further loss of time: he must say, that if they had found the forms of office in their way at the Admiralty, they ought to have applied to the minister, who, according to the practice of our constitution, was answerable for every department; and, failing there, they ought to have addressed

addressed themselves to the House of Commons, and laid their case before the country, the directors being as much bound to the protection of every legal settler in India, as of their own covenanted servants. Mr Jackson said, he did not pretend, nor could say where the fault lay; if with the commander, the board of admiralty that wanted nerve enough to recal such a man, ought to be dismissed by the minister, and changed for men of more comprehensive faculties, and more vigorous exertions. If the minister wanted courage to do this, he was not the minister for such a country in such times. Mr. Jackson, after remarking on the afflicting and disgraceful accounts of a similar ascendency in the West Indies, and of the repeatedly re-victualling and reinforcing of Martinique and Guadaloupe, the importance of the capture of which islands had ever been admitted of the utmost consequence, concluded with expressing his hopes, that the directors would feel this subject as it ought to be felt, and act upon that feeling.

The Chairman (Mr. Parry,) said, that it had not escaped their attention, that the depredations had been most scandalous, arising, as they apprehended, from neglect somewhere; that the commander had been recalled some months past, and that he trusted precautions would be taken to prevent the recurrence of the evil so justly complained of.

Mr. Grant, the deputy chairman, went upon the same ground, but more at large; he observed that the directors had not till very recently any proper documents on which to proceed in making their representations; he was severe upon the memorialists, for not having applied to them in the first instance, rather than to government.---He observed upon the conduct of different naval commanders who had been sent out, and how little influence the government of India had upon their conduct,

Major John Scott Waring supported the ground which Mr. Jackson had taken, and stated some military complaints, which he feared the directors would be deaf to till too late.

Mr. Rock alluded to a report out of doors, that the renewal of the company's charter was to be a subject of discussion during the next session, and wished to know if it were true, that gentlemen might prepare themselves accordingly.

The Chairman and Deputy Chairman thought the question very premature, and rather declined answering it, assuring the proprietors, that whenever such a negotiation should take place, they would give them timely information of the probable terms.

Mr. Jackson said, the question was an extremely plain one, and such as he thought ought to be answered---it was "Whether or no it was the understanding of the directors that the renewal of the company's charter was to be discussed next session?" He said it was a subject of inconceivable importance to the country at large, as well as to the proprietors; and whenever they should meet upon the occasion, he hoped it would not be in the narrow spirit of mere proprietors of India stock, but as citizens of the empire at large, attentive as they ought to be, to their own due protection, but anxious to make our Indian territories of the greatest possible use to the parent state. He said, he thought the question alluded to ought to be answered, for the reason

son assigned for asking it, namely, that the country might be prepared, as it was known that men of eminent talents had directed their thoughts to the subject, as appeared by their publications; such persons, he thought, ought even to be invited to communicate their ideas. Our Indian empire was not, he hoped, the last, but certainly the greatest stake in the hands of the country, and, as ministers should use it would depend the prosperity of Great Britain or the contrary. Mr. Jackson said, it would be too late to come and inform them of outlines previously agreed to, calling upon them, perhaps, to agree to some report, wrapped up in technicality, and enveloped in figures.---Mr. Jackson said, such had lately been the case with a great company, respecting which the minister of the day had thought proper to break in upon the terms of a new charter, solemnly settled by one of his predecessors, and forgetful of the maxim, which he was known eminently to practice in private life, had compelled a new bargain, which, according to his, Mr. Jackson's conception of it, was as unjust as ever power insisted on, or imbecility had yielded to; he remembered, on the occasion to which he alluded, the understanding conveyed to the proprietors, amidst a mass of figures, was, that the directors had merely conceded their superfluities, though it was soon after found, when the conditions came to be understood, that much of their substance had been taken from them.

Mr. Grant repeated, that nothing had occurred by which *he was authorised* to say, that the discussion alluded to would take place the ensuing session.

Mr. Rock, referring to the late gift of one thousand pounds to the Spanish patriots, protested against the illegality of the directors giving away the funds of the company, however meritorious the object, without the consent of their constituents.

In this protest of Mr. Rock, Mr. Jackson and other proprietors declared themselves decidedly to agree.

The court then adjourned.

PROCEEDINGS IN PARLIAMENT

DURING

THE SECOND SESSION OF THE FOURTH PARLIAMENT OF THE UNITED KINGDOM OF GREAT BRITAIN AND IRELAND.

HOUSE OF COMMONS.

Wednesday, February 24.

KING'S MESSAGE RESPECTING AN ANNUITY TO THE FAMILY OF THE LATE LORD LAKE.

Lord CASTLEREAGH presented a message from his Majesty, which was read by the Speaker as follows:—

" G. R. His Majesty having taken into his royal consideration the splendid achievements and eminent services performed by the late General Viscount Lake on the continent of Europe and in the East Indies, and being desirous to confer some signal mark of his favour upon his family, in order to enable them to support the dignity of the title conferred upon him; and for this purpose to give and grant to his eldest son, the present Viscount Lake, and to the two next surviving heirs, male of the body of the deceased, to whom the title of Viscount Lake and Baron Lake of Delhi and Laswary, and of Aston Clinton, in the county of Buckingham, shall descend, an annuity of 2000*l.* per annum, recommends it to his faithful Commons to consider of a proper method of enabling his Majesty to grant the same, and of extending, securing, and settling such annuity upon the said Viscount Lake, and on the two next succeeding heirs, on whom the title of Viscount Lake and Baron Lake of Delhi and Laswary, and of Aston Clinton, in the county of Buckingham, shall descend, in such manner as shall be thought most effectual for the said Viscount Lake, and the two next male heirs to the title."---Resolved, That this house will, upon Friday next, resolve itself into a committee of the whole House, to take his Majesty's said most gracious message into consideration.

Monday, February 29.

The House went into a committee on his Majesty's message respecting an annuity to the family of the late Lord Lake.

Lord CASTLEREAGH, in calling the attention of the committee to his Majesty's most gracious message, trusted that the propositions he had to offer in pursuance of that message, would find but little difference of opinion as to the propriety of acceding to it. When his Majesty called upon Parliament to substantiate those marks of his royal favour and approbation, which he conferred upon distinguished naval

naval and military characters, the House of Commons always answered the call with promptitude and liberality. The reason why this application was not made immediately on the intelligence of the service done, and at the same time that the highest honour his Majesty could confer was bestowed on Lord Lake, was that Lord Lake was then absent in India, and it was not known that his circumstances were such as to require the aid of public liberality. After the return of the noble lord, which was soon followed by his much-lamented death, he received such marks of the favour of the crown, and other distinguished branches of the royal family, that he felt himself in some measure able to support his dignity without public aid, and he, of course, felt unwilling to come forward with such an application as that which gave rise to his Majesty's gracious message, now under consideration. This country had by his unfortunate death lost one of its most valuable military officers, and on inquiry into his circumstances, they were found inadequate to support the hereditary honours his Majesty had bestowed as the reward of his services. Thus, while the services were of that distinguished nature as to afford the strongest claim to parliamentary reward, the circumstances of the family were such as to strengthen that claim. Lord Lake's military life had been a succession of brilliant and meritorious actions, from the time of the American war down to his last campaigns in India. Some of his lordship's acts were such as to bring home to him, personally, the whole merit of the success of some of the most distinguished victories gained; among which he was bound to particularize that of Lincelles by the British arms. Never, in fact, did any man present to his troops, in the day of battle, more striking examples of every quality that were calculated to inspire valour and to lead to victory. The same principle to which the French generals owed most of their victories in the late wars, that of exposing their own persons in every point of imminent danger and apparently doubtful issue, was eminently conspicuous in Lord Lake's military conduct. Whatever difference of opinion might exist, with respect to the policy pursued in the recent government of India, certainly there was room for no difference as to the importance of the services rendered by Lord Lake in the military department. This would be particularly felt at the present moment, when the French, meditating an attack upon our Indian empire, were obliged to wait to establish a footing, and to break ground in Persia, instead of commencing at once on the banks of the Jumna or the Ganges, with a Mahratta army disciplined and commanded by French officers. To Lord Lake belonged the merit of dispersing and destroying that army, and thus establishing the security of our Indian empire on a basis more solid. He did not think it necessary to enter more at large on the subject, as he felt that every one must be sensible of the value of the services of the illustrious deceased. He should also, to save the time of the committee, state now another motion which he intended to offer after the one founded on his Majesty's message should be disposed of. This was a motion for a monument to be erected to the memory of Lord Lake. He was aware that this

was a testimony of public gratitude, seldom asked but when the individual fell in battle, in the moment of victory, or died of wounds received in the country's cause. But there were some few instances which were particularly distinguished from this rule, and when repeated signal victories had been gained without depriving the country of the life of the person who had achieved them. Lord Howe's life of glory had been thought worthy of this distinction, and he trusted there would be found equal ground to make a similar exception in favour of Lord Lake. This was a reward the most cheap, and an incentive the most powerful. He had further only to add, that as it was just and customary, that the pension should commence from the time of the act that called for the exercise of the royal prerogative and bounty, Lord Lake's forbearance from preferring his claim, should be no bar to the benefit being enjoyed from the date of the battle of Delhi, from which he derived his title. This extension of the grant would afford the means of making some arrangements for the benefit of the female part of the family, who, he was very sorry to say, were left in a most unsatisfactory state. The late Lord Lake having died before the application to Parliament could be made, his life was not counted as one of the three for which it was usual to grant provisions of this kind. The grant would be to the present lord and the two next heirs. The noble lord moved accordingly, "That the usual sum of 2000*l.* nett be granted to his Majesty out of the Consolidated Fund of Great Britain, the said annuity to commence from the 11th of September, 1803, and be settled, in the most beneficial manner, upon Viscount Lake, and the two next succeeding heirs, male of General Viscount Lake, deceased, on whom the title of Viscount Lake and Baron Lake, of Delhi and Laswary, and of Aston Clinton, in the county of Buckingham, shall descend."

Mr. Whitbread said, although he had no objection to go with the noble lord in the very high encomiums he had bestowed upon the military character of Lord Lake, and to acknowledge that he had rendered important services to his country, yet, whatever might be his own wish that those services should be remunerated with liberality, still he felt it a duty paramount to all delicacy upon the subject to declare his sentiments, when the purse of the country, already so heavily burthened, was in question. His Majesty's message proposed to the House, merely a provision of 2000*l.* a-year to the two next heirs in succession of General Lake; but the noble lord had now proposed not merely to extend this annuity to another generation, but to give it a retrospective operation, to no less an amount than 9000*l.* The noble lord had pleaded, in excuse for not having sooner proposed this remuneration, the great distance at which General Lake was; but that circumstance did not preclude the knowledge of his services, nor prevent his Majesty from immediate remuneration, if it were deemed necessary; but at the end of five years to bring forward this proposition, and to claim arrears for all that time, though no remuneration was till now thought necessary, was what he could not accede to. The noble lord had been in possession of very lucrative

tive employments, which enabled him to receive large sums of money; so large, indeed, as to render it quite indecorous to come forward, during his life-time, with such a proposition as this; but no sooner was he deceased, than it was found out that his affairs were so embarrassed as to leave his heirs totally unable to support the dignity of the rank they inherited. Certainly, the condition of the family of Lord Lake, as represented by the noble lord, rendered the duty extremely painful of disapproving any provision for the successor of the noble lord; and to prevent, as it were, the peerage from being sullied, he would consent to the 2000*l.* a-year; but to the grant of 9000*l* and the expense of a public monument, he should decidedly object.

Mr. W. DUNDAS supported the claims to the pension and the monument. He thought it the strongest recommendation of Lord Lake, that he had returned from filling one of the highest offices in India, comparatively poor.

Mr. M. A. TAYLOR admitted, that Lord Lake had had liberal allowances to support his dignity in the station he had filled; but his expenses were fully equal to them. The splendour of his appointments, the hospitality of an open table for his officers, and the well-known acts of his private munificence, had prevented him from accumulating money; and when it was recollected, that, at his decease, the only provision he was able to make for his several daughters was 1500*l* each, he was confident, that a British House of Commons would never consider such a provision adequate for the daughters of such a man. Happy would it be for England, and for India, if every commander sent thither, imitated the principles and the conduct of Lord Lake! He did not use his power for the purposes of plunder to enrich his family. He returned from India with only a fortune of 40,000*l.* to provide for a wife and seven children. Sir John Stewart had received his pension in consequence of his services; and that gallant general, although a single man, had declared to him he never could save any thing from the allowances assigned him; but if military officers, who happened to be married, were to devote their whole lives to their country's service, and were taught not to look up to their country for any provision for their children, left destitute by their deaths, it were better to pass a law at once, binding them to chastity, like Catholic priests, and thereby prevent them from having children to provide for.

Lord CASTLEREAGH had not thought it necessary to be so particular in stating the narrow circumstances of Lord Lake's family; but he believed that, in fact, these ladies would take, under the will, little more than half the sum mentioned by the honourable member who had just sat down.

General TARLETON supported the motion, and detailed the particulars of the storming of the trenches at Lincelles, defended by 6000 French troops, by 1600 British under Lord Lake. It was an additional claim, that the noble lord had returned from India in circumstances that formed a direct contrast with those in which Lucullus returned from Asia, and Massena from Italy. There could be nothing, in his opinion, more honourable to that noble lord's character, than that he returned from India

India poor, and died honourable. As to the proposed monument, it had his hearty assent, as he was convinced there was not a greater idol throughout the whole army than the late Lord Lake.

Lord FOLKESTONE said, he felt disagreeable sensations in opposing this resolution, but he did it upon general grounds. If the argument that had been used as to the late Lord Lake's poverty was good for any thing, it must go to this, that if any person who had signalized himself in the service of his country, should, notwithstanding his lucrative situation, die, leaving his family poor, they were to become a burden upon the public. He should forbear discussing the general services and merits of Lord Lake, as he had heard no arguments used that could justify the motion that had been made. He could not agree that a monument should be erected to his memory at the public expense, as that was an honour that ought not to be conferred on any officer who had not fallen in the moment of victory.

Earl TEMPLE differed from the noble lord who had just sat down, as he could not conceive there could be a greater claim to public gratitude than that which had been stated. In his opinion, Lord Lake's having returned from India to this country, and dying under the circumstances that had been represented, not only entitled his family to the consideration of the public, but shewed that he had acted in a manner highly creditable to himself, and honourable to the nation. He trusted, however, that the House would not suffer his children to remain in such a state of honourable poverty.

Mr. SUMNER contributed his testimony to the eminent services and qualifications of the noble general. It was true, that the emoluments of his situation were great, but his private charities, and his generosity to the officers engaged in the same service, exhausted his fortune to an extent which it would be difficult to ascertain. As to the observation, that the application might have been made sooner, he should only remind the House, that so long as Lord Lake was in the enjoyment of such emoluments abroad, his disposition was such that he disdained making any application for further rewards at home. This inclination to withhold his just claim, gave that noble lord, in his opinion, a greater title to the gratitude of his country. He even thought, that what was proposed to be granted was not sufficient, and nothing prevented him from moving for a greater allowance, but his unwillingness to interfere with those whose duty it was to suggest and propose what they conceived proper upon such an occasion.

Colonel WOOD said, that he never rose with greater satisfaction than he did in supporting this motion; for if ever there was a man entitled to the gratitude and esteem of his country, it was Lord Lake. He was unwilling to detract from the merits of Lord Howe, but he could not help thinking, that the eminent services of Lord Lake, in India, were of infinitely greater importance to the country, and well entitled him to that monument which was proposed to be raised to his memory.

Mr. W. SMITH said, that he had information which induced him to believe that, although Lord Lake might have died worth only 40,000*l.*

40,000*l.* he brought with him from India nearer 140,000*l.* He thought that, in all such cases, a committee should be appointed to inquire into the actual circumstances of those who claimed pensions. If Lord Lake's poverty proceeded merely from his neglecting to embrace the opportunities which presented themselves to him of enriching himself, it would be the brightest jewel in his character. He had, however, reason to believe that such was not the fact. He had, however, no objection to the peerage being accompanied with a pension, as he thought not only dignity but independence should be attached to a peerage. He had understood, that the real cause of Lord Lake's dying in moderate circumstances, was, that he had honourably discharged, out of the money he made in India, those immense debts which he had previously contracted in this country.

Sir A. Wellesley said, that it was very true that Lord Lake was greatly in debt previous to his going to India, and to the discharge of those debts, the residue of his pay and appointments, after the necessary expense of his establishment was deducted, was constantly applied, and paid over to an agent that went from England for that purpose. As to the circumstances of Lord Lake's family, he knew that his family estate only amounted to about 800*l.* a-year, and that the money that he died worth, was only from 35,000*l.* to 40,000*l.* Such being the actual state of his circumstances, it was evident that the dignity of the peerage could not be supported by his successor, nor his family provided for, unless the House should agree to grant the pension.

Mr. Whitbread did not deny that Lord Lake had performed great services; but still he did not think those services of so pre-eminent a nature as to be entitled to such extraordinary rewards. In the actual circumstances of Lord Lake's family, he could not object to the usual pension of 2000*l.* per annum, although he must object to the additional grant. Applications to the House for pensions of this description were made on the ground of services, and not of poverty. When the great Duke of Marlborough rendered the nation important services, they were most munificently rewarded. The munificence of the nation in this respect, was not on account of the circumstances of the Duke of Marlborough, for he was not a poor man, but it was proportioned to the services he had performed. If Lord Lake had performed services of that description, the reward would have gone on the same principle. He believed that Lord Lake was a very brave officer, and much beloved by the army; but mere gallantry as an officer did not entitle any man to claim such rewards. If it were so, the honourable generals who had spoken might also claim pensions of 2000*l.* a-year: although the House might be very well prepared to admit their merits, yet they would be very unwilling to grant them the pensions. In the present case, he saw no other plea for the extraordinary grant, except the necessities of Lord Lake's family.

Mr. Lushington said, that as it was stated that the fortunes of Lord Lake's daughters did not exceed 1500*l.* he thought it would be much better to give the sum of 9000*l.* among the younger children,

dren, than make it a present to the inheritor of the title.

Sir F. BURDETT rose to enter his protest against the grant. He had two objections: one on personal grounds, and the other upon constitutional grounds. The personal objection was this, that when any individual came forward to claim a pension on the ground of services, those services should be of a very distinguished nature. There ought not to be any necessity for asking when and where those services were performed; but they should be services of that brilliant kind, that the fame of them should ring through the world. In the present circumstances of the country, when the people of England were burthened and exhausted with taxation, he did not think that any extraordinary grants of money should be voted as a remuneration for services which were not in themselves of extraordinary merit. This was the whole of the personal objection, as he did not deny that Lord Lake was a gallant officer, and had performed some services, although he differed with many honourable members as to the value of those services. His great objection, however, to the grant, was upon constitutional grounds. He thought that his Majesty had ample resources and means to reward every merit of this nature, and that there was no necessity for applying to Parliament to lay a new burden upon the people. He should ask, what had become of all those sinecures which were at the disposal of the crown, and under the patronage of ministers?—Whenever they had been alluded to in that House, it was always argued by ministers, that these things were very necessary, in order to enable the crown to reward eminent services; but, whenever there were any eminent services to be rewarded, instead of giving any of those places which it was pretended that they ought to have the patronage of, for the reward of eminent services, the real reward was always made to come by imposing an additional burden on the people. He should wish to ask the gentlemen on the other side, what kind of eminent services those were, for the reward of which these things were given? They were services which never saw the light,—services which none but the ministers knew any thing about. When, however, any real service was performed, they applied to Parliament to reward it, by laying additional burdens on an exhausted people. On this principle, he felt it his duty to take the sense of the House upon the motion, and call for a division. As to the merit of Lord Lake, he thought that was a very minor consideration. Whatever the merits of that gallant officer might be, the remuneration he received was not behind them. There were many other gallant officers who had performed services which had been by no means rewarded in the proportion that Lord Lake's had been. He believed that if Lord Lake were now alive, he would not consent to put in a claim for additional grants to reward his services, which grants must be another burden imposed upon an exhausted people. If his merits had been great, the merits of the people of England were not small. They had submitted with unexampled patience to privations and sufferings of every kind. If all merit was to be rewarded, where was their merit to find its remu-

neration or reward? The only reward which they could receive was from the watchful attention of the House over their purse, and to prevent any unnecessary burdens being imposed on them.--- From these considerations, he felt it his duty to oppose the motion.

The CHANCELLOR of the EXCHEQUER said, that he should not feel it necessary to trouble the House with many observations, as the grounds, stated by his noble friend, appeared so generally to meet the approbation of the House. He perfectly agreed with the honourable Baronet who spoke last, that the people of England had a right now, and at all times, to claim from that House a vigilant attention to the economical management of their affairs; but he belived the honourable Baronet would not convince the House, or the country, that parsimony in rewarding eminent services was the best or truest economy. If, as the honourable Baronet had stated, the present times were times of great peril, there was the more necessity for marking their sense of distinguished military services. He could not see what practical object could be accomplished by declamations on the merits of the people of England, although it was undoubtedly true that they had considerable merit in bearing so well the burdens which the necessity of the times imposed upon them. But how was this merit to be rewarded? Was it by giving them pensions of this nature? If not, he did not see how that argument bore upon the present question. The honourable Baronet had talked of the unexampled means which the crown possessed of rewarding merit of this sort. He knew of no such unexampled means; and the honourable Baronet might have known, that the crown was limited in the power of granting pensions on the Civil List, and could not give a greater pension than 1200*l*. per annum, which, after all deductions, would not produce more than 800*l*. per annum clear; and that would be evidently inadequate for the reward of such services as those of Lord Lake.

General GASCOYNE observed, that while the honourable Baronet thought that the merit of Lord Lake was no ground for the pension, a noble lord who sat behind him (Lord Folkestone) had contended, that the necessity of his family was no ground either. If, then, both the grounds of merit and necessity were taken away, the motion must be, of course, rejected. In speaking of the merit of Lord Lake, from his own knowledge, he would say, that he was as cool and intrepid as any man in action, and that his generosity was shewn no where in a more conspicuous manner than in the field of battle. He not only distinguished himself for his humane attention in visiting the sick and wounded, but he often supplied their wants from his own means. His table was not only open to his brother officers, but his wine went to the sick and wounded of the private soldiers. He did not think that the honourable Baronet would condemn an expenditure of this nature, or think that his family should suffer from his well-directed liberality.

Mr. BANKES said that, under all the circumstances of the case, he must agree in voting for the motion. He believed, in general, that the rewarding merit was the best economy; yet, although he agreed in the propriety of the pension

sion being now granted, he did not believe that the House could ever have been persuaded to agree to it, if it had been applied for immediately after the battle of Delhi, and when Lord Lake held such important and lucrative situations. He believed that he carried his wishes as far as any man, for every possible retrenchment in the public expenditure, but he disclaimed the idea of participating in the sentiments which had been delivered by the honourable Baronet, and which, he conceived, would produce no other effect except to cause discontent. He disapproved, generally, of the want of discrimination on the part of ministers, in bestowing titles upon persons who had not sufficient fortune to support their rank, and who must then become either pensioners of the crown, or burdens upon the people. There were more pensions of this sort given to persons of the most distinguished rank than the country were aware of. As to a public monument, he did not believe there was any case, since the death of Lord Howe, where that honour was conferred on any military officers, except those who died or received wounds in the field of battle. He begged leave, however, to assure the military men, who were the personal friends of Lord Lake, that in any observations he made, he was only actuated by public motives, and by no means wished to derogate from the character or services of that gallant officer, or to take away any thing from the fame and glory which he had acquired.

Lord G. Cavendish agreed with the honourable member who spoke last, that titles ought not to be bestowed without great consideration, both of the services of the individual, and of his means to support the dignity and independence of the peerage. He thought the peerage was often very improperly given to military men, whose services were by no means of the first order. This, however, was not the case with respect to the gallant officer, whose merits and whose claims were now under consideration. He should think the House would act in a niggardly manner, if they were to refuse what was now proposed for the family of Lord Lake.

Mr. Lyttleton said that, although he did not pretend to be a perfect judge of the military merits of Lord Lake, yet every body had agreed that the merits of the noble lord were conspicuous, and that if they were not of the first class, they at least approximated very much to the first class. Instead of wishing that services of this nature should be rewarded by the crown, without the intervention of Parliament, he should wish the rewards of merit and public service to flow more immediately from the people. He wished the patronage of the crown was retrenched; and he thought the ministers would have come down to the House with much more grace, if, when they made an application for this grant, they had pointed out a corresponding retrenchment.

The Secretary at War bore testimony to the professional merit and important services of Lord Lake. He thought that, upon constitutional grounds, it would be dangerous and improper that poverty and the peerage should be associated together.

Mr. Tierney expressed a fear, that it would be considered, that the House shewed too great a readiness

diness to dispose of the public money. He agreed implicitly with the honourable Baronet, that the House should anxiously watch over the expenditure of the public money; but he did not think the people would thank him for his anxiety in watching over the public expenditure, so far as to refuse a well-merited reward to a gallant officer. The first question which he thought ought to be considered was, whether he had deserved the peerage or not; and, secondly, whether the grant proposed was a proper one. He would not, however, allow that, whenever a peerage was granted on account of military services, a pension should be voted by that House. He should now take the opportunity to lay in his claim to protest against this doctrine on a future day, if it should be proposed in favour of other new-made peers; but as for Lord Lake, it must be allowed that it was almost impossible for any British officer to be placed in a higher or more responsible situation than he was; and then the question would be, how did he perform his duty in that situation? It had been generally admitted, that no officer could have conducted himself with more integrity. He could speak from the means of information which the situation he had lately held (President of the Board of Controul) gave him. The merits of Lord Lake were not merely in the field of battle, but he conducted himself with great ability in some delicate negotiations with the native powers of India. He thought a person placed in a high and responsible situation, and who was eminently successful, did deserve the peerage, and that the grant proposed was not too much. The utmost pension which the crown had the power of bestowing, which was 1200*l.* per annum nominally, but really no more than 800*l.* would be by no means an adequate remuneration for such services. As to a public monument, he could wish that that honour should be reserved exclusively to those generals who received their death in the field of battle. The East India company were, however, often liberal in those things; and as his principal services had been performed in India, he thought it would be becoming in them to take this part of the expence upon themselves.

Mr. W. Smith said that, from the arguments he had now heard, he wished to retract the opinion he had expressed about the public monument. He defended the observations of the honourable Baronet from the constructions which had been put upon them.

Sir F. Burdett said, that he had been most entirely misrepresented by the right honourable the Chancellor of the Exchequer, as to what he had said about the means which the crown possessed of rewarding eminent services. He had not alluded to the Pension List, or thought of it; he alluded directly to the great offices, sinecures, and reversions, which ministers always pretended were necessary, in order to allow the crown the means of rewarding eminent services. He was surprized that the right honourable gentleman should have mistaken his meaning so widely, especially when that right honourable gentleman needed not to look beyond his own family to know, what sort of sinecures and reversions the crown had to bestow as the reward of eminent services.

If ministers had come down and told the House, that it was Parliament alone which ought to assign the reward to eminent services, and that, therefore, all those useless sinecures, reversions, and incumbrances should be done away, the question would be entirely altered, and he should then have no objection to vote a liberal remuneration for any eminent services performed to the country: the right honourable gentleman best knew what kind of services it was, which was rewarded by such sinecures as his family and many others possessed. Their eminent services might be well known by the servants of the crown, but the people of the country knew nothing about them. Whenever the slightest service was rendered which could bear the light, or which could be stated to Parliament, there was immediately an application for a reward, which was not to come from what was in the patronage of the crown, but from an additional burden imposed on the people. An honourable gentleman (Mr. Bankes) had thought it necessary to disclaim his political opinions, and all participation in them. This disclaiming of the honourable gentleman should not, however, make him hesitate to state those opinions to the House, whenever he was convinced that he was prompted by no indirect view, that he was labouring from no party motives, or any wish to bring in one set of ministers or turn out another; but exercising that duty of a member of Parliament which he conceived himself most peculiarly called upon to discharge. Standing, as he did, on a great constitutional ground, he did not feel that he was called upon to enter into a discussion on the personal merit of Lord Lake. Discussions of this sort were always most disagreeable; and there could be nothing more painful to a gentleman, than to be obliged to say any thing which would appear to derogate from the merits of a gallant officer who was no more, and who appears to have been beloved, and, perhaps, very deservedly, by his brother officers. He should, however, say, that the services of Lord Lake were not of the most distinguished rank; they were nothing like the services of Lord Nelson. He did not know that the country owed any particular gratitude to him; and he thought, that if one-tenth part of the rewards which had been given to Lord Lake in his life-time, had been distributed among many other gallant officers, whose merits had been unrewarded, the army would have been much better contented. It was the opinion of many persons that his rewards far exceeded his services. As to the great victory that was spoken of at Delhi, he must ask, who ever went to India that did not win battles? When the brilliant victories of Lord Lake were mentioned, he might, if he pleased, mention also some remarkable failures. He did not wish, however, to go into this discussion, because he rested his argument not upon the circumstances of this peculiar case, but upon the general constitutional ground. He would not be prevailed upon by any false colouring of the services of this man, or of that man, to depart from the general ground of objection which he had considered it his duty to make. He should, therefore, persevere in taking the sense of the House; he should use this common expression, although, in fact, 'the sense of the House' was known

as well before a division as after it. Another right honourable gentleman (Mr. Tierney) had appeared very anxious to guard himself from any suspicion that, by his vote to-night, he was departing from those political opinions which he professed himself to have been constantly attached to. The right honourable gentleman might make himself quite easy upon that head. He might be sure that he would not be suspected of acting from any other sort of principles than those which had hitherto guided his political conduct. After the explanation which had been made of the sentiments he had before delivered by an honourable gentleman, he did not feel it necessary for him to make any further explanations; but as he conceived that the present motion went to lay an additional and unnecessary incumbrance on the burthened and exhausted people of this country, he must persevere in his intention of resisting it to the utmost, and dividing the House upon it.

Mr. Biddulph stated his sentiments shortly against the motion, as he thought there was sufficient ability in the crown to grant the necessary reward. The gallery was then cleared for a division. While strangers were excluded, the House divided twice. The first was upon the grant of the pension generally: Ayes 210; Noes 26. The second division was upon the pension being granted from the date of the battle of Delhi: Ayes 202; Noes 15.

Wednesday, March 2.

Lord Castlereagh, in calling the attention of the House to the notice respecting a monument to be erected to the memory of Lord Lake, which had been suspended by a notice, having a prior claim to the attention of the House, on a former night, did not mean to recur to that notice, or again to offer to the House the motion which was the subject of it.---Having communicated with many persons devoted to the memory of Lord Lake, and participating in the high veneration in which he held the services of that gallant man, he found that it was the general wish of those persons to give way to the difficulties of parliamentary form that had arisen.---The family of the noble lord, deeply penetrated with a sense of gratitude for the vote passed the other night, was willing to rest its claims on the public bounty there, than press a point upon which many of those who had voted in approbation of Lord Lake's general merit and services, might be found in opposition. In this feeling he thought it his duty to concede; but he could not help lamenting that Parliament appeared to have laid it down as a principle, that the glorious testimony of a public monument was to be confined to the services of those who died in battle. Lord Howe's monument was the only exception to this rule, for that of Lord Cornwallis's stood on entirely distinct ground. He admitted that the limitation to those who died in battle was a good and convenient general principle. But at the same time, when monuments were held to be the most appropriate marks of public gratitude, as being at the same time most honourable to the deceased, and best calculated to excite emulation in the minds of posterity, it seemed to be a strange exclusion that prevented a Lord Lake, a Lord Rodney, and a Lord Duncan, from being found among the

the illustrious heroes thus consecrated to fame, while many persons of much inferior rank and merit were so honoured. The distinction would never be asked but for striking examples of merit and service, and the reward may safely be granted without the fear of deviating into abuse. It would certainly be no injury to those who fell in battle, to admit to a participation of this honour, those who had equally entitled themselves by victory, and who had no other bar to their claim, but that of a greater interval of time between their service and their death. It was not the death but the service that was the proper object of reward.

Tuesday, February 9, 1808.

CONDUCT OF MARQUIS WELLESLEY---OUDE CHARGE.

Lord FOLKESTONE moved, that the several papers presented to the House in January, February, March, June, and July, 1806, and in July 1807, be taken into consideration on Monday the 22d instant.

Mr. CREEVY seemed to think it would be better to refer the papers to a committee, to arrange and report on them, and that it would be necessary to have the dispatches of Lord Cornwallis laid before the House.

Sir ARTHUR WELLESLEY deprecated the great delay which had kept the charges over the head of his noble relative, during four years.

After some discussion between Mr. Lushington, Lord Temple, Mr. Perceval, Mr. Wyndham, and Mr. W. Pole, Lord Folkestone's motion was carried.

Mr. CREEVY then moved for the production of certain letters written from India by the late marquis Cornwallis, containing his lordship's opinions and suggestions respecting the policy pursued by the Marquis of Wellesley in India, in respect to the Peishwa and the Nizam.

Mr. R. DUNDAS expressed some difficulty in producing one of the papers moved for, because it had not been communicated to the Directors, until after the noble marquis's death.---The production of some of these papers was also resisted, because it might "endanger the lives of persons in India who had been extremely serviceable to the British government."--The motion was then modified and carried, after some debate, in which Lords Temple, Folkestone, and H. Petty, and Messrs. Wallace, Windham, and G. Johnstone, spoke to the question.

Monday, Feb. 22d.

Lord FOLKESTONE moved the order of the day for taking into consideration the papers relative to Oude.

Mr. CREEVY opposed the motion, principally on the ground that the papers were so voluminous, and so confused, that they should be first submitted to a committee in order to their arrangement, without which they could not, as he contended, be understood. After a warm discussion of Mr. Creevy's proposition, in which several members, who were friendly to the Marquis Wellesley's administration, deprecated any farther delay, and in which others professed their inability to do justice to the question in the state of things, the consideration of the merits of the question was deferred to Wednesday the 9th of March.

Wednesday, March 9.

The order of the day being read for

for resuming the adjourned debate on the Oude Charge,*

Lord FOLKESTONE rose, and began by stating some alteration in his resolutions. He then observed, by way of preliminary observation on the complaint made by marquis Wellesley's friends of the delay in bringing forward this question. For his own part, he had used as much haste as was consistent with the importance of the subject, and the time indispensably necessary to read and maturely consider the voluminous documents produced and printed on the subject. He also disclaimed any attempt to prejudice the public mind against marquis Wellesley by means of the press; but he doubted extremely whether the friends of the noble marquis could say as much. He had seen but three pamphlets on the subject, only one of which appeared in any degree hostile to the noble marquis; and the other two were written to bias the public mind in his favour, and were distributed gratis, not only to the members of that house, but in like manner through all the principal taverns and coffee houses in London. Even some of the resolutions which he himself had first offered to the house, had been published in the papers with alterations and comments; and this publication he could with certainty trace to the friends of the noble marquis, from the circumstance, that they were precisely in the form in which he had transmitted these resolutions to them, but in which he had subsequently made some verbal alterations. He did not complain of this; he left the house and the country to judge of the fairness and decency of such a proceeding, and of the strength of the cause which required such assistance; but he did say, that those who held such a conduct themselves, should have been the very last to cry out at any attempts to prejudice the public mind.—All attempts, however, of the sort he utterly disclaimed for his part; and he equally denied the knowledge of any such by any other person.—Having premised thus much, the noble lord proceeded to his charges against the noble marquis, to which he intreated the serious attention of the house. If he should not be able to establish this case, no man would more sincerely regret than himself that he had ever trespassed upon the time of the house; but should he be able to sustain his case, he trusted the House would give to it the gravest consideration, and adopt those measures which a sense of public justice and national honour should dictate, unbiassed by feelings of favour or prejudice. The noble lord then proceeded to recapitulate the circumstances, under which the interference of marquis Wellesley in the affairs of the reigning nabob of Oude originated; which interference terminated in the violation of a solemn treaty between the East India company and the nabob, and, by depriving that prince of all authority whatever, and controul within his own dominions, left him entirely at the mercy of the East India company. In this case, the house were called on to judge between the noble marquis and the nabob; but he begged the house to recollect, that, in truth, there was only one party before them. The marquis Wellesley had every advantage. The case was to be tried on his own grounds: the only

* The official papers referred to in the debate, are to be found in the Asiatic Register for 1806.

only documents, his own accounts of the transaction He was before the house, if not in person, at least represented by friends and relations, persons bound to him by ties of blood, by friendship, by services, by obligations. The nabob, on the other hand, had no representative but such as the justice of his cause and the cruelty of the oppression he had suffered had called forth. He had no means of telling his story; no opportunity of producing his proofs. The house ought to look with a partial and indulgent eye to his case. However, as the advocate of the nabob, he asked for nothing but justice; sheer naked justice---justice founded on the facts as lord Wellesley had himself related them; and he was sure that, if the house would but give a fair hearing to the case, these facts thus detailed, would be sufficient to induce the house to mark, with the severest reprobation, the conduct of the noble marquis: he hoped, too, to afford some relief and mitigation to the unfortunate nabob. --- Lord Folkestone then proceeded to comment upon the treatment which the nabob had experienced from the hands of lord Wellesley, as detailed in the papers on the table of the house; and, taking the course he had pursued in his resolutions, to make good the grounds on which they were founded.

In 1798, the nabob ascended the musnud of the province of Oude, and on that occasion entered into a treaty with the East India company; which, being the last compact between the two powers, must be considered as the rule of their future connection. It was a gross and disgraceful breach of that treaty with which lord Wellesley was charged---a breach unaccompanied by any circumstances of excuse or palliation, inasmuch as the other party, the nabob, on his side, ever showed himself a scrupulous and attentive observer of all the provisions of it.---The treaty of 1798 provided, that the entire defence of the territories of Oude, as well against internal, as against external enemies, was to rest with the company, in return for which the nabob was to pay, by monthly instalments, an annual subsidy of 76 lacks of rupees, or 912,000*l.* sterling; that for this purpose of defence the company should constantly retain in Oude a force of from 10 to 13,000 men; and that if, at any time, the defence of Oude required the presence of more than 13,000 men, the nabob should defray the expence of the difference. --- By this treaty it was further stipulated, that if at any time the monthly instalments of the subsidy should fall in arrear, the company should then require security for the future regular payment of the same.---All political power, and even all communication with other states was taken from the nabob; but full authority over the internal affairs of the country, "over his household affairs, hereditary dominions, his troops, and his subjects," was left to him by the express words of the treaty. --- The house should observe the circumstances under which this nabob mounted the musnud. By the interference of the company in behalf of his hereditary right, his predecessor, an acknowledged usurper, was removed.---But it is to be observed that this man, probably conscious of the weakness of his title, and the instability of his tenure, had endeavoured to acquire the affections of the troops by unbounded largesses, so that, when the change took place, the new nabob found

them

them discontented at the change, and disaffected to his person.---Again, the two preceding reigns had been signalized by great profusion and expence; the affairs of the country had been neglected, its finances dilapidated, agriculture neglected, the treasury emptied, and the most burthensome taxes imposed on the people.---Under these circumstances, considering the close connection subsisting between the company and the sovereigns of Oude, it was manifestly desirable to the former that a new and amended system of policy should be adopted, and a reform established in the civil and military arrangements of the country.---It certainly was no less the interest of the nabob---it was his wish too---we have frequent expressions of that wish; aye, and actions too in conformity therewith, notwithstanding all the accusations of lord Wellesley to the contrary. According, then, to this evident interest of the two contracting parties, an article was inserted in the treaty of 1798, that such a reform should be set about, and that the nabob should advise with the Bengal government on the occasion. The nabob, on his part, faithfully acted according to this stipulation.---Numerous are the passages in the papers to which I could refer for proof of this assertion.---I will, however, only detain the house with one. It is a passage in one of col. Scott's letters; "the assertion made by his excellency of its being his desire to dismiss or get rid of his present troops by degrees is, I believe, strictly true; and consistent with that intention, he long ago prohibited the filling up of vacancies; so that the battalions called regular, excepting those under Alma's, are not more than half their complement of men." And the house must not suppose that this exception of the troops of Almas was any contravention of this agreement; they are the troops which Sir J. Craig, in his evidence, states he could alone depend upon in the hour of danger; and the avowed disposition of their leader to appear independent of the nabob, and to look to the protection of the British, precludes the possibility of any favour having been shewn to him from improper motives.—Equally punctual was the nabob in fulfilling the other stipulations of the treaty. The subsidy was paid regularly to the day. This is over and over again acknowledged by lord W.; and we have Colonel Scott's own testimony, that "the nabob was determined in all things to fulfil, with minute regularity, his peculiar engagements with the Company. So much for the nabob; now for the Bengal government.—Four months had scarcely elapsed from the signature of the treaty of 1798, when lord W. arrived in India; and he forthwith forms a plan in direct opposition to the provisions of it, "for the total reduction of the troops of the nabob." Other affairs, however, of importance, prevented his lordship from proceeding immediately in the business; and it was above a twelvemonth before any scheme of the sort was brought to maturity. At that period, however, having overthrown the power of Tippoo, he began to take steps for the purpose of putting into execution his project in Oude. With this view he orders troops to march into the country.—The professed object of their introduction, was defence against the threatened invasion of Zemaun Shah; but the real

real reason being so to overburthen the treasury of the nabob, as to compel him to disband his own forces; for the house will recollect, that those additional troops were to be paid by him. There was, however, another convenient motive with lord W.; the relief of the company's finances. In vain did the nabob remonstrate against this measure; in vain did he plead the provisions of the treaty. Lord W. argued, that he was bound to defend him; and that it was impossible for him to do so, unless he maintained, in his dominions at all times, forces sufficient to contend against the most distant and improbable contingencies. The house doubtless would be astonished at such an argument being gravely stated and seriously urged; yet so it is, and on no better foundation were troops poured in upon the unfortunate nabob, till he was actually compelled, in order to find money for the payment of them, to disband his own troops. This resolution being once adopted, the work was proceeded in with diligence. No proposals of Scott's were objected to; the nabob patiently acquiesced in every suggestion, and things went on under his sole direction. One should therefore have hoped that the Bengal government would now at length have been satisfied; the means of security, which they wished for, were obtained, the interference, which they thought necessary, was accomplished; their troops were in possession of the country, and the nabob's power and person at their mercy. Not so, however, could lord W. be satisfied.—The country was exhausted, and there was danger that, at some time, the subsidy would not be regularly paid. Harassed by renewed and increasing applications, the nabob at length expressed apprehension to this effect; he in truth accompanied it by assurances of his best endeavours to remedy the danger, and an offer to lay open the state of his affairs to col. Scott, and to consult with him how to provide the necessary funds. Overlooking this fair offer, lord W. could see nothing but the danger, which he immediately pronounced to be imminent and alarming, and such as to be removed by nothing but a cession of territory, the annual revenue of which should equal the full amount of the subsidy. Indeed, another proposition of a still more extensive nature was pressed over and over again: "the transfer to the company of the exclusive management of the civil and military government of the country" was asked for; but, notwithstanding all his efforts to obtain this *reasonable* request, lord W. was disappointed. It will not be necessary to detain the house by a narration of all the negotiations which arose upon these demands; suffice it to say, that after a very protracted negotiation, in which, on the one side, is displayed all the arts of chicanery, accompanied with threats the most undisguised, and language of reproach and reviling the most contemptuous and unmerited, while on the other, patient forbearing, and earnest supplication were alone manifested, the unhappy nabob was compelled to yield to the company a portion of territory of the alleged annual income of one crore and 35 lacks of rupees, or 1,620,000*l.* in perpetual sovereignty, and to deprive himself even of all efficient government over the remainder. This forced cession was finally settled by

by the treaty, as it is called, signed at Lucknow in 1802. "I do not wish," said the noble lord, "to detain the house, but I must offer a few observations on these proceedings: 1. The house will observe, that by the treaty of 1790, the company were bound to maintain, at all times, in Oude, a certain number of troops; and, in case of necessity, to supply a larger number for its defence: That the constant stationary number was to be paid for by a fixed subsidy, and the increase by a proportionate increase of payment. Now it will appear evident, I think, that there could be no right to pour into Oude, and to burthen the nabob with an increased number, unless a real, *bonâ fide*, danger existed. Any such danger was so far from existing at the time when Lord W. poured his forces into the country, that an attack of a pretended Golaum Hadier was made the pretext for the introduction of troops: and was persevered in even after his defeat and death had removed the possibility (probability there never was) of any danger arising from his arms. And indeed Lord W.'s justification of this increase of troops in Oude is sufficient to prove the injustice of it. "It is impossible, says he, "to defend the country (which I am bound to do,) without maintaining at all times in it a force sufficient to resist remote and contingent danger." A more preposterous doctrine was surely never maintained. And let us see how he himself afterwards acted upon it. By the territorial cession he obtained revenues sufficient to provide pay for troops kept up to the number so required; did he then keep them up to that extent? No; not only did he never send that number represented by him as absolutely necessary for the defence of Oude; but on one occasion, when the nabob expressed a wish that, at least in return for the sacrifices he was about to make, he might have the security of such a defence, lord W. not only resists this demand as an injurious suspicion of the means of the company, but enters into a long argument to prove that he had no right to expect such protection. 2 The house will observe that, by the treaty of 1798, the East India company were only entitled to demand security for the future regular payment of the subsidy, when already fallen into arrear. The territorial cession was demanded as such security, but no arrears having been incurred, the demand was, by the terms of the treaty, premature and unjust. 3. It must be observed, tha the demand of territorial cessi n to the extent of one crore and 35 lacks, or 1,620,000l. was calculated on the concurrence of various contingencies; the necessity of the presence of troops to quell the disturbances supposed likely to arise from the bad police of the ceded provinces; and to resist the invasion of Zemaun Shah; but demands were at the same time urged, which precluded altogether the necessity of these payments; in the first place by the treaty of 1802, the company reserved to themselves the right of superintending the police of the nabob's remaining territories; and at the time of the signature of the treaty not only was there no prospect of invasion by the Shah, but all future danger of the kind was removed by his death and the dismemberment of his dominions. 4. It is to be observed, that the value of the ceded provinces was taken at a reduced and low rate; that

that they immediately rose in value, and have regularly been returned as producing more than the revenue at which they were estimated; so that on their own shewing the Bengal government have extorted more than, on their own principle, they had any right to demand. 5. It should not be omitted that, during the whole of the negotiations recorded in the Oude papers, not only the utmost hauteur was constantly employed towards the nabob, but, at various times, demands of the most unjust and exorbitant nature were made on him; at one time the expences of an embassy to Persia; at another demands for payment of troops; the data on which such demands were made being avowedly false; the different corps being calculated as complete though they were acknowledged not to be so; and the presence of the corps themselves being extremely doubtful. 6. There is another proceeding which makes a great figure in these papers, but which, as it does not finally affect the termination of the business, I have not insisted on.—I mean the negotiation set on foot in consequence of a proposal of the nabob to abdicate; of which I shall only say, that the conduct of Lord W. on that occasion seems to me altogether such as would have justified any jealousy of his interference and suspicions of his motives, which the nabob might subsequently appear to have entertained."—After urging all these points at considerable length, Lord Folkestone concluded by exhorting the house to banish from their minds all feelings of affection and partiality, and do justice between the parties whoever they might be; and moved the first of the following 12 resolutions: viz.

1. "That it appears to this house, that on or about the 21st of February, 1798, the nabob, Saadut Ali, ascended the musnud of the province of Oude; and that he then entered into a treaty with the East India company, whereby it was agreed, that the said company should defend his territory against all enemies whatsoever, and for this purpose should constantly keep up in the province, a force of not less than 10,000, nor more than 18,000 men; in return for which defence, the said company was to receive from him an annual subsidy of 76 lacks of rupees, paid by monthly kists, (or instalments:) that in case the defence of the country should at any time demand a greater number of the company's forces than 18,000 men, the nabob should defray the expence of the difference; that, in case the monthly kists should fall in arrear, the nabob should undertake then to give security for the future payment of the same; that the said nabob should maintain correspondence with no foreign state, unless with the knowledge and consent of the company: but that he was to be allowed to 'possess full authority over his household affairs, hereditary dominions, his troops, and his subjects."

2.—"That it appears that the nabob's forces were composed of disorderly troops, unaccustomed to the rules of good discipline, and disaffected to his person;—that the nabob himself was extremely desirous to remedy the defects of their constitution, and to bring them into good order;—that, for that purpose, he made frequent applications to the government of Bengal, through the resident at Lucknow, for advice and assistance in forwarding this object, and in default

default of their co-operation, did himself adopt such measures as in a short time reduced his different regular battalions to "half their complement of men."

3.---"That it appears that the nabob was scrupulously punctual and regular in the discharge of the monthly kists (or instalments) of the subsidy; and that 'whilst he was determined to fulfil with minute regularity the peculiar engagements with the company, his views were directed to the enjoyment of a full authority over his household affairs, hereditary dominions, and subjects, according to the most strict interpretation of the clause of the 17th article of the treaty executed at Lucknow."

4.---"That it appears that notwithstanding this good disposition of the nabob, the Marquis Wellesley soon after his arrival in Bengal, formed a plan for 'the total reduction of the troops of the nabob, with the exception of such part as might be necessary for the purposes of state, or the collection of revenue; and, on or about the 5th of November, 1799, proceeded to take steps for putting the same into execution;---that, for that express purpose, he ordered troops to march into the territories of the nabob, and to take possession of particular posts in the same; and that he persisted in this measure, though it was not even insinuated that any danger from foreign invasion existed at the time; and, though 'the late defeat of the pretended Golaum Hadier had considerably weakened the pretexts which his assembled numbers and first success afforded;' in opposition to the remonstrances and wishes of the nabob, and in direct violation of the spirit and stipulations of the treaty."

5.---"That it appears, that the said troops were so marched into the province of Oude, under the belief that the funds of the nabob being insufficient to defray this additional charge, he would be thereby compelled to disband his own troops:---that accordingly, about the 18th of December, 1799, the nabob having vainly attempted by intreaties and remonstrances to prevent the measure, did at length give a reluctant consent to the dismissal of his battalions; and on the 20th of February, 1800, issued orders to that effect;---that from that time so far from creating obstacles or throwing difficulties in the way of their dismissal, he 'readily adopted every proposition' made by the resident for that purpose; so that by the month of December, 1800, twenty-three regular battalions, and upwards of 1,200 horsemen, had been discharged."

6.---"That it appears that on or about the 22d of Jan. 1801, the marquis Wellesley proposed to 'interfere more actively and decidedly in the affairs of the province of Oude;' and that he accordingly directed the British resident at Lucknow, to offer to the nabob two propositions, either, first, 'to transfer to the company the exclusive management of the civil and military government of the country;'—or, 2ndly, 'to cede to the company in perpetual sovereignty, such a portion of territory as should be fully adequate, in its impoverished condition, to defray the amount of the subsidy to the full extent of the augmented force.'"

7.—"That it appears, that the nabob positively and repeatedly rejected both these proposals; but that he was finally compelled, by threats and menaces, to yield a portion of territory of the alleged annual

annual income of one crore and 35 lacks of rupees, in the terms of the second proposition; and furthermore, to bind himself to establish in his remaining dominions, a system of police under the advice and controul of the company's officers, and in all affairs to submit to the opinion of the British resident."

8.—That it appears, that the demand of a territorial cession was made under the pretence of obtaining security for the regular payment of the subsidy; but that the nabob Saadut Ali was always punctual, not only in discharging the monthly kists, but also in satisfying the further demands made upon him on account of the additional troops, and incessant in his applications to the British resident for advice and assistance in providing permanent funds for the payment of the same; and that therefore the said demand of territorial cession was unjust, and in direct violation of the provisions of the treaty."

9.—"That it appears that, pending the negotiations respecting the territorial cession, demands were urged upon the nabob for arrears of payment of troops, unjustifiable in their principle, and exorbitant in their amount, calculated upon the principle of 'including every fixed and contingent expence for buildings, camp equipage, &c.;' and 'on the supposition that the corps were complete;' though it was confessed that they were not so, and claimed upon grounds inconsistent with the true spirit of the treaty."

10.—"That it appears, that the demand of territory in perpetual sovereignty, to the amount of one crore and 35 lacks of rupees of annual revenue, was exorbitant and unjust, inasmuch as it was perpetual possession in annual income to the full amount of a temporary and occasional demand; and inasmuch as the said temporary and occasisional demand was in part calculated on the supposition of the necessity of the presence of troops—1st, to overawe the licentious disposition of the nabob's battalions, and to repress the disorders arising from the bad police of his reserved dominions; which necessity was however removed by the very treaty itself, whereby the nabob was bound to disband all his troops not necessary for the purposes of state, and of collection of revenue, and to establish in his reserved dominions a system of police, under the advice and controul of the company's officers; and, 2ndly, to defend the province of Oude against the dangers arising from the invasion of Zemaun Shah, though the nabob was at the same time called upon by the marquis Wellesley, to defray a 'proportion of the expences attending the embassy into Persia,' which had been employed 'in negotiating there an arrangement to prevent any return of the same danger.'"

11.—"That it appears, that the demand of the specific territory of the alleged annual revenue of one crore and 35 lacks of rupees, was exorbitant and unjust, inasmuch as it was capable of immediate increase, and actually did yield, in the year immediately succeeding, the actual revenue of one crore and 57 lacks of rupees; and the settlement thereof for the three next succeeding years was at the average annual amount of one crore and 80 lacks of rupees, independent of the profit derivable from the monopoly of salt, estimated at 11 lacks; inasmuch as the said revenue was regularly

regularly and progressively increasing from year to year; and inasmuch as Mr. Henry Wellesley, the governor of the ceded provinces, stated, that he had no doubt, that 'the settlement of the land revenue for the second period of three years would not be less than two crores of rupees;' and that 'the land revenue of these provinces, when fully cultivated, would amount to two crores and fifty lacks of rupees.'

12.—That it appears from the whole of the transactions related in the papers now under consideration, and from the negotiations carried on by the marquis Wellesley with the nabob Saadut Ali, in the year 1798, 1799, 1800, 1801, and 1802, that the said marquis Wellesley, actuated by unjustifiable ambition and love of power, had formed schemes of aggrandizement and acquisition of territory, in direct opposition to the established policy of the East India company;—that he pursued this object by means offensive, and with a spirit irritating to the nabob, with a total disregard of the recorded opinions of this house, and the provisions of two several acts of parliament; and that he finally succeeded in wresting from this unfortunate prince, against his will, a large portion of his territory, and in depriving him of all effective government over the remainder; in direct violation of every principle of good faith, equity, and justice, and in open breach of the sacred obligation of a solemn treaty; and that he has thereby affixed a lasting stigma and reproach on the British name and character, and contributed to destroy all confidence in the moderation, justice, and good faith of the British government in India."

The first resolution having been read from the chair,

Mr. Whitshed Keene rose and said:—Sir; the noble lord has informed the house, that the resolutions he has moved, are founded on the information he has drawn from the documents which have been laid before it to illustrate the transactions that took place in the province of Oude, during the administration of lord Wellesley. I by no means agree that those documents bear out these resolutions, on the contrary, to my conviction they justify the very reverse. But, Sir, what has induced me at this moment to obtrude myself on the house, is a persuasion that in order to form a sound opinion on this important subject, it is necessary to go much deeper into it than the noble lord has thought proper to do. I apprehend every gentleman will agree that ascertaining what has been the real relation between the British nation, through its representative the India company, and the province of Oude, and what are the duties and rights respectively belonging to it and the native chiefs, with whom it has been involved, since it was forced to emerge into a territorial from being a mercantile concern, ought to save much time, as whatever may be said which does not apply to these relations may be very good declamation, but it is not argument. Appeals to its humanity and justice have always, and I trust ever will be favourably received, but when those appeals are made, it becomes the good sense of this house to examine carefully the grounds, least their heads should be the dupes of their hearts, and intending humanity and justice should produce results directly opposite. I conceive, for this salutary purpose, it is necessary

to trace the origin and progress of the British connections in India, and knowing the apathy this house, unfortunately for the public, has shewn on those subjects, I shall take up as little of its time as the nature of that investigation will admit. As anonymous, and unacknowledged publications, bold assertions, gratuitously advanced, in this house or out of this house, can have no effect on its good sense, I beg leave to state that the opinions I entertain on this great subject are drawn from the series of facts recorded by Mr. Orme, in his history of the wars sustained by the British company and nation in Bengal and the Carnatic, and from Mr. Verelst's account of the rise and progress of the British Company in Bengal.

[The honourable member here described, at great length, from the authorities just mentioned, the nature and instability of the office of nabob, the early and progressive connection of the East India Company, with the princes of Oude, and the military and civil interference of the former in the Vizerat; hence contending that the Company had obtained a right in the country by conquest. He next detailed the evils of the mixed government of Oude, arising out of the peculiar nature of the treaties concluded at different seasons with the nabobs; and the opinions of the intermediate governors-general thereupon, from the time of Lord Clive, to the date of the arrival of the marquis Wellesley in Bengal.] He then proceeded :—

The marquis Wellesley, on his arrival in Bengal, found that country agitated by an expected invasion by Zeman Schah, and soon after by the insurrection of the deposed young nabob-vizier at Benares, where, having collected a number of followers, he murdered the resident, with some other English, and fl d into the province of Oude, where he collected between 5 and 6000 men, and was joined by some of the present nabob's troops who had been sent to stop his progress. These having been defeated by part of the British army, and the insurrection quelled, and Zeman Schah being fortunately obliged to fall back by disturbances into his own country, gave time to examine the state of Oude, and take the measures necessary for the defence of that province, which was the first object of Zeman Schah's invasion. It appeared that there was a rabble of an army amounting to near 40,000 men, but of a nature that the nabob declared he considered them as his enemies, and could not think himself safe in Lucknow without a considerable British force near his person. The British generals all declared that the existence of that army would be a powerful diversion in favour of Zeman Schah, in case he resumed his intention, and the nabob, impressed at that time with the danger, earnestly applied to the governor-general for his assistance to reduce it, who in consequence sent a most able British officer to effect that great object. In this situation of things the war with Tippoo broke out, and the governor-general went to the Carnatic, where having by great energy collected and put in motion, in a few months, the most powerful army ever assembled in India, Seringapatam was taken, Tippoo killed, and his whole dominions possessed by the English. Having by a skilful and fortunate enterprize at Hyderabad destroyed the French influence there, and having

ing by his regulations in Mysore brought all the resources of that country, from whence the company apprehended the greatest danger, to its aid, he returned to Bengal, leaving the Carnatic in a state of security it had never known before. He found the important reforms in Oude but little advanced: the nabob, though the proposal of reducing his troops originated from him, when the danger from them was strong on his mind from Zeman Schah's invasion, yet as this decreased, he became irresolute, and brought forward proposals and saught evasions to create delay. The security of this important frontier, which the Company was bound, both by treaty and its own safety to defend, was an object of too vital a concern for the governor-general to permit himself to be baffled in. As an article in the last treaty empowered the Company to increase its forces in Oude to the extent judged necessary for its defence, and as by the same treaty the nabob is bound to give satisfactory security for the payment of the same, the governor-general knowing, from the uncertainty of payments of former inferior subsidies, in times of profound peace, which Oude had enjoyed for many years (and which were only found by those usurious loans the exaction of which spread ruin and desolation amongst millions of the wretched inhabitants) how little reliance could be placed on the discharge of an increased subsidy in time of war, when a failure might be attended with disastrous consequences, and knowing the progressive decline of the resources of the country under the nabob-vizier's government, demanded, in lieu of subsidy, a cession of territory, the produce of which, in its declining state, was equivalent to the support of the increased number of troops, which from the state of things was judged necessary for the protection of the province of Oude and its dependencies. To this demand the nabob-vizier opposed many difficulties, during near two years. Although it had been proved repeatedly that without the British troops the dominions of Oude, if not entirely swallowed up, would have undergone great defalcations; although he felt and acknowledged that without them, his person was not secure from his own numerous and disorderly rabble, yet from irresolution of character, practised upon by those about him, who saw that by this measure, their means of enriching themselves by the pillage and oppression of the miserable inhabitants would be exceedingly reduced, yet it was with reluctance on his part he assented to a treaty, which precluded any farther demand upon him in any possible case, by which his own dangerous and disorderly army was to be reduced merely to what was necessary for puposes of state, in lieu of which the country was to be defended at all times, by a considerable increase of troops under British discipline. By this treaty, those districts which surrounded the ancient state of Oude, which were held by turbulent Zemindars, who had many troops and strong fastnesses, from which he could not draw revenue without annually sending a superior force to collect it at a decreased jumma; which were most exposed to temporary depredations, and through which a powerful invasion must pass, was ceded in perpetuity to the Company, and the necessity of

of making good a subsidy, by those usurious loans which had so large a share in the ruin of the country, and which from the nature of things must recur again, if the connection continued on the same footing, was for ever put an end to. The event has proved that the supreme government consulted not less the comfort and security of the nabob-vizier, by this great measure than it did its own. This treaty was concluded on Nov. 10th 1801, and he now enjoys from his reserved dominions a larger income applicable to his personal gratifications, than he did when he possessed those ceded districts, subject to the payment of an inferior subsidy, and at the same time the comfort and security of those millions, who were formerly oppressed and pillaged, by his numerous armed rabble, is materially improved. In the ceded districts, by those Zemindars who possessed of troops and strong forts, were accustomed to dictate their own terms to the weakness of the vizier's government, much opposition was made to the establishment of the company's government, and it is to be lamented, in some instances, much blood has been spilt. Such feudal anarchy was incompatible with safety and good order; as it shewed itself, it has been subdued by the vigour and discipline of the British arms; and the lenity and beneficence of those British institutions which, from 1786 have progressively increased the happiness and prosperity of the Bengal provinces, have been introduced. Much time had not elapsed, before an opportunity occurred for the vizier to shew his feelings as to the change in his situation, and for the inhabitants of an important ceded district to shew what they felt. During the contest with the Mahrattas, a difficulty arising from a delay of supply of money and other requisites for the advance of the Company's army, the nabob vizier voluntarily came forward with a considerable loan without interest, and assisted with all the resources of his country. On the incursion of a formidable Pitan chief into the ceded district whereof he was a native, where he had powerful connections, and where formerly he would have found much co-operation, so few shewed themselves inclined to him, that he thought it prudent to retreat, doing but inconsiderable mischief. Another tempting occasion offered for the nabob to shew dissatisfaction, if he had not experienced advantage from the new treaty, when, upon the proposal from a servant of the company (who was on his return to his country, and was supposed to have powerful connections here,) to be appointed his agent for the purpose of representing and obtaining redress of those hardships which he imagined the nabob vizier felt from the act of the British government, the nabob declined his interference, and testified, by his conduct, feelings of a directly opposite nature. From all these circumstances, it can scarcely be doubted, but that he would think himself little obliged to those honourable gentlemen in this House, who have advocated his cause, as they think, with so much zeal and eloquence, if they succeeded in putting him back into his former situation. With these opinions on the justice and necessity of this treaty with the nabob vizier, and all those important consequences, I cannot hesitate in thinking the supreme government of Bengal is

is entitled to the gratitude of the country, for having, by its vigour and foresight, most importantly augmented the security of the British interests in many quarters, and guarding against dangers which threatened them from no quarter more eminent than the north of Hindoostan.

Sir John Anstruther, rose to reply to the speech of the noble lord. As far as that noble lord was personally concerned, he had conducted the affair then before the House, in a manner which corresponded with his character, and the rank that he held in the country. Still, however, his noble friend's situation had been a hard one. A libel against him had been lying for a long period on the table of the house, and had in consequence been generally circulated, with something like an air of authority; the author of which, had it been promulgated in any other manner, would ere now have experienced the severity of the law. Before he entered on the subject, he would observe that the character of this prosecution against the marquis Wellesley, differed materially from that of any other India prosecution. In every preceding India prosecution, not errors of policy alone, but personal corruption, had been attributed to the individual accused. No man had dared, in the present instance, to whisper the slightest insinuation of such a nature against the noble marquis. Certainly, the last resolution of the noble lord charged his noble friend with ambition, and a love of power, evinced by his actions, at the very moment that he was retiring from his high situation. This prosecution contained within itself an evident contradiction. A learned gentleman, not just now in parliament, had said that there were three parties in this investigation; the noble marquis, the court of directors, and the suffering millions in India. The two first unquestionably were parties in the investigation; but with respect to the suffering millions in India, did not that learned gent. know, that the accusation of the chiefs and rajahs of India against the British government there, was, that it was a government for the protection of the lower orders, who, in the provinces under British influence, enjoyed a degree of security and happiness, for which they in vain sought in any other part of Asia? The suffering millions of India, therefore, were no parties to this cause. The noble lord had expressed his hope that no person would decide on this question from motives of personal attachment. For himself, the long friendship with which he had been honoured by the noble marquis, had naturally created in his mind feelings of the highest respect and attachment; but in communicating to the house his sentiments on the subject, he was actuated by nobler motives. He had himself been in India; he had witnessed the danger at which it had trembled; he had witnessed the joy, which the relief that the noble marquis's measures afforded, had occasion. He had heard the opinions in India of the most faithful and the most intelligent of the company's servants, and he had never heard a doubt expressed of the justice and propriety of the noble marquis's conduct. It would be enough for the vindication of the noble marquis, were he to state that the principles on which he acted had been approved of by the government who employed and confided in him. This

This would be enough for the vindication of every executive officer. But he would go further, he would shew, that even had that approbation not been given, the noble marquis's conduct would have been not the less justifiable and honourable. The subject resolved itself into two parts, the transmutation of subsidy for territory, and the military interference with the province of Oude. With regard to the first point, the measures which the noble marquis pursued were imperiously called for. He was guided by the declaration of the East India Company, repeatedly made; for instance, to lord Hobart, who was instructed to transmute subsidy into territory, in order that the territory from which the Company were to derive support in war should be in their hands during peace, and be thus rendered more available when a period of war might occur. When the noble marquis first went out to India, he was charged by the court of directors with similar instructions, to change subsidy for territory; and when he failed in an undertaking of that nature (from circumstances which it was not necessary to state) they lamented that failure. Subsequently, when the noble marquis effected a transmutation of subsidy for territory with the rajah of Tanjore, the Court of Directors thanked him for so doing. After this, they could not surely turn short round and say, that an accession of territory in India was against the law in all cases. There was another reason why they could not say this: thinking highly of the services of the noble marquis in the war against Tippoo Sultaun, the court of directors had behaved to him as a great body ought to behave to a great man, and had rewarded him with a pension during the continuance of their charter, expressly declaring that by the destruction of Tippoo 'the Company had gained a great accession of territory!' How, then, could the noble marquis suppose, after this explicit declaration, that there could be any disapprobation of future transmutation? But this was not all. The noble marquis had, in this particular instance, informed the Company of his intentions; he had told them that he meant to avail himself of the existing circumstances in Oude, to introduce the British power into that country. To this the Company expressed no objection; they never replied, that it was against the law, or intreated him to desist from the execution of his plans. It was therefore fairly to be inferred, that those plans met with their concurrence. With regard to the other part of the subject, the introduction of military force into the Dewab, was it not evidently the wish of the Directors that the civil and military power of the nabob of Oude should be reduced? When the noble marquis acquainted them that he was about to reform the useless and even dangerous battalions of the nabob, they in answer approved of his intention, and when he had completed his military, to effect a civil reform; and was it to be endured that the noble marquis should now be told, that these were measures highly criminal, and that he had fixed an everlasting stigma on the British name and character in India? But this was not all; after the noble marquis had effected his objects, he received the approbation

bation of the directors, as well as of the secret committee, which was a sufficient justification. To prove this, it would be necessary to refer to the letter from that committee, dated the 29th of December, 1802, in answer to one of the noble marquis, in which he acquainted them with what had been done in Oude, and intimated his intention of retiring from the high situation which he held in India. In this answer the committee, instead of censuring the noble marquis for the line of conduct which he had adopted, intreated that he would remain another year, and finish the work which he had so happily begun. Was not this a *bonâ fide* approbation? Unquestionably, there were some among the directors who did not approve of the noble marquis's proceedings. The deputy chairman, for instance, (who was entitled to the highest respect), had uniformly expressed his dislike to them: but still, the opinion of the great majority of the directors was in his favour. He would now, however, argue the question, without reference to their approbation or disapprobation. If the noble marquis were to act at all in India, his attention must naturally have been directed to two points; the first, whether he had any right whatever to interfere in Oude? the other, whether the occasion on which he did interfere was sufficient to justify him in such interference? As to the first point, no man, considering the relation which subsisted between the British possessions and the province of Oude, could possibly question the right of the British government to interfere with the affairs of that province. By treaty, Oude was to be defended by the British. By policy, Oude must be defended by the British; for to defend Bengal without defending Oude was impossible. Undeniably, therefore, the British government were justified in interfering authoritatively, and compelling the introduction into that country of an adequate military force. Who, then, was to be the judge of the quantity of the force which ought to be so introduced? What said sir John Shore, by whom the treaty with Oude had been concluded? He considered himself the proper judge. Had not lord Cornwallis declared that if the reform in Oude were not carried into effect voluntarily, he should be obliged to compel the nabob to provide for his military defence? Moreover, had not that noble lord appointed two ministers of the nabob to carry his orders into execution, assuring them that he would support them against their master in the fulfilment of this task? How idle was it, then, to talk of the independence of Oude? Had not Sir John Shore revoked Mr. Cherry's rash and unadvised assertion, that no further interference on the part of the British should take place in Oude, and had not the court of directors applauded him, for this revocation? On what principle had Sir John Shore himself interfered in the government of that province? A man of more mildness, temperance, and moderation, he would also say of more integrity and ability, never existed. It was not to derogate from his administration to declare, that energy was not the characteristic of it; and yet Sir John Shore, espousing the cause of Vizier Ally, decided, at his own tribunal, who should be the prince of Oude. Would he have done this had he not felt his undoubted right of interference?

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He had expressly told the Company that he found it necessary to establish the British influence in Oude on a surer footing, because the two states were so connected, that without an over-ruling influence in Oude it would be impossible to keep Bengal. After all this, and much more, which he would not detain the house by stating, who could doubt that the right of interference was unquestionable, and that the noble marquis was the best judge as to the extent of that interference? So much for that part of the subject. Did the occasion, then, call for the interference which the noble marquis exercised? What was the situation of Oude at the time? Zemaun Schah, at the head of a formidable army, threatening Oude: the Mahrattas making no movement and shewing no disposition to oppose him, and a large French force in the heart of Egypt. Well did he recollect the feelings of natives and Europeans in India at that period. Well did he recollect the doubt and dismay which existed before the noble marquis arrived, which he dispelled very soon after his arrival, and which never re-appeared during his continuance in the government. It was, indeed, a period of danger, and one which called loudly upon the noble marquis to do that which he did; to interpose with a strong hand, and to put the military force of Oude in a state better calculated to repel the assailants by which it was threatened. Sir John Craig, that most able and respectable officer, had demanded of the noble marquis a force of 20,000 men to meet the dangers that threatened Oude, not because he thought this force adequate to the object, but because he conceived that it was all that could be spared; yet even this number Lord Wellesley was unable to grant him. It was true, that he had sent an embassy to Persia for assistance; but the result of this embassy was contingent; and was it therefore to preclude him from endeavouring to put Oude into a better posture of defence? The civil state of Oude was this, half the army which ought to have been on the frontiers to repel the menaced attack, was compelled to remain in the country to quell the rebellion, which the bad administration of affairs had occasioned. Even Sir John Craig, with his small and inefficient force, had been obliged to leave two regiments at Lucknow, to defend the prince against his own subjects. By a letter from Mr. Lumsden, it appeared, that even some of the frontier forts were in the hands of rebellious Zemindars. In these circumstances, was not the noble marquis completely justified in interfering to compel a mutinous army to obey its leaders, and a rebellious people to submit to their prince? He did interfere—he obtained his objects. So completely did he change the character and disposition of the country, that some-time afterwards, when a fair opportunity was afforded by the passage of an hostile force, from one extremity of the province to the other, that force was not joined by a single individual of those 'suffering millions,' as they had been so pathetically, but so unfoundedly, termed. But the noble lord not only accused his noble friend of sending into Oude a force larger than what was necessary, but of charging the vizier for a force larger than what was actually sent. If this were true, which he denied, the noble marquis had nothing to do with

with it. He had desired the proper officer to make out the account in the manner most favourable to the nabob. If any mistake had taken place, which was not very likely, and which he completely disbelieved, was the commander in chief in India to be chargeable with the error of a clerk in the accountant-general's office? The noble lord had so mingled in his resolutions that which was true, with that which was not quite true, that he felt the impossibility of proposing any amendment to them. On all, therefore, but the last, he should move the previous question: to the last he must give his most direct negative. It charged his noble friend with ambition and the love of power. True, he was ambitious, but it was that his country should be great; true, he did love power, but it was the power of contributing, by every honourable means to her prosperity and happiness. Traduced as his noble friend's character had been, he was desirous of meeting the personal imputations that had been cast upon him, and should conclude with moving the following resolution:—

"That it appears to this house, that the marquis Wellesley in carrying into execution the late arrangements in Oude, was actuated by an ardent zeal for the public service, and by the desire of providing more effectually for the prosperity, the defence, and the safety of the British territories in India."

Col. Allen rose and spoke as follows:—Sir; It is with great diffidence I venture to offer myself to your notice, and to trespass on the attention of the house; but having passed the greater portion of my life in India, having been there during the early part of the administration of the noble marquis whose conduct is the subject of investigation; having held an official, and I may say confidential, situation, which gave me opportunities of knowing something of the motives and principles which governed the conduct of the noble lord during that period; and having attentively perused the voluminous papers laid before parliament, I cannot reconcile to my feelings to give a silent vote on this question: a question which, important as it is to the character of the noble lord, is of infinitely greater importance to the public—for, in my humble opinion, if the resolutions moved by the noble lord shall receive the sanction of this house, it will lead to the subversion of every existing treaty with the native princes of India, and shake the foundation of the British power in the East.—In discussing the justice and the policy of the measures pursued by marquis Wellesley in Oude, it is necessary to consider, what was the nature of our connection with that state, at the time when these measures were adopted; and I think there is abundant proof in the papers before us, that Oude was not an independent principality; but that it was altogether dependant on the British government, and in fact identified with it.

In support of this position Col. Allen referred to the letters of Lord Cornwallis, and the Court of Directors, as proving the identity of Oude with the British dominions in Bengal, and more especially adverted to the evidence of Lord Teignmouth, and Mr. Cooper, as confirming the general repute of the nations of India, of the entire subjection of the nabob to the Company, of whom he had received the kingdom of Oude, as an alleged dependant fief, in the

person

person of his predecessor Sujah ud Doulah. The hon. member then continued---

The few extracts I have taken the liberty of reading to the House, in my humble opinion clearly establish these facts; that Oude is not an independent principality, but a dependency on the British government; that the principles, upon which lord Wellesley acted, were laid down by lord Cornwallis, sanctioned and approved by the court of directors and the board of controul; and that the measures of the noble lord were founded in justice. Of the policy of those measures, it is impossible for any person in the least acquainted with India, or who has taken the trouble to look into the papers before us, to entertain the shadow of a doubt. It has been stated, that the resources of the vizier's dominions were abundant and daily increasing; if that had really been the case, I might have doubted a little the necessity of the measures of the noble lord. It is extraordinary, but no less true, that the very papers produced to substantiate the charges against the noble lord, afford abundant means of refuting them. Lord Cornwallis in a letter to the Court of Directors, dated 16th November, 1787, says, 'I cannot however express how much I was concerned during my short residence at his capital, and my progress through his dominions, to be witness of the disordered state of his finances, and of the desolate appearance of his country. The evils were too alarming to admit of palliation.' (No. 2 p. 4.)—In a letter to the vizier, dated 24th Jan. 1793, his lordship says, 'On my return from the war in the Decan, I had the mortification to find that, after a period of five years, the evils which had prevailed at the beginning of that time had increased; that your finances had fallen into a worse state, by an enormous accumulation of debt; that the same oppression continued to be exercised. Though the subsidy is at present paid up with regularity, yet I cannot risk my reputation, nor neglect my duty, by remaining a silent spectator of evils which will, in the end, and perhaps that end is not very remote, render abortive, even your excellency's earnest desire that the subsidy shall be punctually paid.' (No. 2, p. 11.)—In a letter from lord Cornwallis to the vizier, dated 12th Aug. 1793, his lordship says, 'It is well known, not only throughout Hindoostan, but to all Europe, that, notwithstanding the prevalence of peace during so many years, the revenues of your excellency's dominions are diminished beyond all conjecture.'

Colonel Allen next shewed, from the evidence of lord Teignmouth and Mr. Cowper; and particularly from the deposition of major Ousely, the aid-de-camp of the vizier, that the statements of lord Cornwallis were literally true. The honourable member quoted the following passage from major Ousely's evidence. 'As to the state of the Duab, I can speak with accuracy, but I cannot to the whole kingdom of Oude: that part, called the Duab, I found in a state of great anarchy, a total want of law, of justice, and every thing else: nothing but violation of property of all kinds, and banditti ranging over the whole of it, a total dereliction of every thing like justice.' Major Ouseley being asked, 'have you any knowledge of the state of the revenues in Oude, under the government of the nabob?' His answer is, 'I understood

understood that they were in a state of annual decrease or decay.' (P. 64.)---This is the account of the civil administration in Oude. The military, if possible, was worse. By a reference to the papers before us, we find that the reform of the military establishment of the vizier had been one of the principal objects of the British government, from our earliest connection with Oude. Lord Cornwallis, lord Teignmouth, and every succeeding governor-general, had directed his attention to this object, and we are informed by Mr. Cowper in his evidence, 'that the uniform opinion of the court of directors was, that nothing could be more ruinous to the state and the affairs of Oude, than the existence of those troops. (p.46).---And Mr. Cowper further observes, 'That the most earnest recommendations to their council were to prevail on the nabob to reduce them as much as possible, as much as was consistent with the safety of the country, and the collection of the revenues.' (p. 46).---For military purposes there was no question as to the inefficiency of the vizier's troops; but we are told by major Ousely (p 64), that they were unequal to the collection of the revenues; he says, 'I believe at first the nabob was very willing to disband his army, finding it totally insufficient for the purpose of collecting the revenues, and for the subordination of his country.' Sir James Craig, who commanded in Oude, being desired to state his opinion as to the efficiency, and discipline of the troops of the vizier in the years 1798-9, and 1800, says, 'They were totally undisciplined; mutinous, licentious, and many battalions not armed. Being asked, 'were they attached to the person and the government of Saadut Ali Khan, the nabob of Oude' Sir James Craig answered, 'I never had much communication with them, but I always understood the reverse; and, I know the nabob himself considered them in that light. (P. 97.)---The extracts to which I have presumed to call the attention of the House, in my humble opinion, incontestably prove that the internal administration of the vizier's government was radically bad; and that the interests and safety of the vizier and of the East India Company required that these growing evils should be corrected. In addition to this state of internal disorder, Oude was threatened with external danger, by the approach of Zeman Schah. Under all these circumstances, the measures pursued by the noble lord in Oude appear to have been founded in the wisest policy, as well as in the strictest justice, and we have reason to believe, from the evidence of major Ousely, that those measures have promoted the real interests and happiness of the vizier, and of his people. The following extract of a letter to the governor-general, dated 4th of Dec. 1800, shews that the conduct of the noble lord, with respect to Oude, was highly approved of by the court of directors. They say, 'they entertained a due sense of the highly-essential services of the marquis Wellesley, in the persevering zeal with which he effected a reform in the military establishment of the nabob vizier, a measure not less contributing to the preservation of his excellency's dominions, than to the relief of the company's finances, by furnishing a large additional subsidy, to the annualamount of fifty lacks of rupees, to

to reimburse the charges of the late augmentation of our troops in that quarter, so necessary to be made in view to the ultimate security of our possessions against the invasion of Zeman Shah, or of any other power hostile to the British interests: and that they had the firmest reliance upon the continuance of his lordship's exertions, for introducing the necessary improvements into the civil administration of the affairs of the nabob vizier.' And the secret committee, in a letter dated the 19th November, 1803, approved also of the conduct of marquis Wellesley. Territorial possession, instead of subsidy, has been a principle acted upon in India by the predecessors of lord Wellesley, and recommended and sanctioned by the highest authority at home. In considering this important subject, it appears necessary to take a short view of the political state of India, at the time the noble lord assumed the charge of that government. Tippoo Sultan, compelled by lord Cornwallis to purchase a peace under the walls of his capital, by the surrender of one half of his dominions, by the payment of a large sum of money, and by delivering up two of his sons, as hostages for the due performance of that treaty,--- from this moment had been seeking the means of revenge. He had connected himself more closely with the French, from whom he actually received succours of troops. He had stirred up Zemaun Schah and other native powers against us, and the Carnatic was threatened with the renewal of war. The court of the Nizam was entirely controlled by French influence, and there was at Hydrabad a large and well-disciplined native force under French officers, ready to co-operate with Tippoo Sultan, menacing the weakest part of our possessions on the coast of Coromandel. A formidable native force, under 300 hundred French officers, nominally in the service of Scindia; but in reality totally independent of him, was stationed on the most vulnerable part of our Bengal frontier (Oude;) and M. Perron, who commanded that force, also commanded the resources of the country, and was in the receipt of an annual revenue of upwards of one million sterling. Let us for one moment look at the amount of this force. The army of Tippoo Sultan amounted to 94,000 men, 50,000 of whom, with a train of 130 pieces of artillery, he afterwards brought into the field against us. The French force at Hydrabad consisted of 15,000 native troops, and 60 field pieces. The French force under M. Perron, consisted of 40,000 well-disciplined native troops, and 280 pieces of artillery making altogether a regular field force of 105,000 men, and a train of 470 pieces of artillery. If to this we add the armies of Scindia, of the rajah of Berar, and of Holkar, amounting to 95,000 cavalry, 30,000 infantry, and 400 guns, we shall find there was a force of no less than 230,000 men, and 870 guns, which, in my opinion, would have been brought into the field against us, if that formidable confederacy had not been defeated, by the foresight, the promptitude, and the vigour of the measures pursued by the noble lord. This force is independent of Zemaun Schah's army, which menaced Oude, and of the army of the Nizam. Besides these dangers with which we were threatened, at the time the noble lord took charge of the Indian government, he found an empty treasury, and our credit so low, that

that the company's 8 per cent. paper was at a discount of more than 20 per cent. I would beg to call the attention of the House to the situation in which we should, at this moment, stand, threatened as India is by the ruler of France, if the measures of the noble lord had not been carried into effect? I would ask, what our prospects would be if a large French force, reaching the north-western frontier of India, were there to be joined by 40,000 well-disciplined native troops, under French officers, and 200 pieces of artillery, with every necessary equipment for an army, and with the resources of a country, yielding an annual revenue of above one million sterling? If Oude, our frontier, was in the disordered and distracted state in which it was found by the noble lord, with its army, as described by Sir James Craig, totally undisciplined, 'mutinous, licentious, unarmed, and disaffected to their prince and government' I think we might tremble for the safety of India. But if, in addition to this, there was a force of 15,000 men and 60 guns, under French officers at Hydrabad, threatening the northern Circars, and to cut off all communication by land, between Madras and Bengal? If Tippoo Sultan was at the head of an army sufficiently powerful to meet us as he did, single-handed in the field? If Scindia, the rajah of Berar and Holkar, were combined against us? And if French influence pervaded every court in India? I think there is no man that hears me so sanguine as to believe that, under these circumstances, we could retain our dominion in the East. Fortunately, these dangers have been averted by the noble lord. He augmented the British force in Oude, to guard against the attack that was menaced by Zemaun Schah, and directed the whole of his attention to overcome our foreign enemies. The French force at Hydrabad, and the French influence at that court, were completely annihilated. This able measure was followed up by the conclusion of a treaty with the Nizam, by which our subsidiary force was considerably augmented, and British influence was established. In the short space of two months, from the time the army under General Harris crossed our frontier, Tippoo Sultan, in the vain attempt to defend his capital, lost his life; and his dominions were surrendered to the British power. The Peishwa, driven by Scindiah and Holkar from his capital, and obliged to take refuge at Bombay, was restored to his authority, and a subsidiary treaty was concluded with him, similar to that with the Nizam. Cuttac, the only maritime territory of the Mahrattas, on the coast of Coromandel, ever considered of the utmost importance as connecting our possessions in Bengal with those of Madras, and as shutting out the French from all communication with the Mahrattas, on that side of India, was acquired. Acquisitions, nearly as important, were made on the coast of Malabar, excluding the French in that quarter. In less than three months, lord Lake (a name it is impossible to mention but with the deepest concern) gained three brilliant victories; in which he destroyed thirty-one battalions of Perron's army, and took 268 guns. A gallant officer, an honourable member of this House, in two brilliant actions, at Assaye and Argaum, which, for conduct in the general, and determined bravery in the

the troops, have never been surpassed—and where, if ever victories were gained by the exertions and example of an individual, they were gained on those occasions by the exertions and example of my honourable friend. In these two actions he completely defeated the armies of Scindia and the rajah of Berar, destroyed the remaining battalions of Perron's army, and took 136 guns. These glorious victories were followed by advantageous treaties of peace. These are a few of the splendid services of that illustrious character, marquis Wellesley. I will not trust myself to speak of the return he has met with. During a period of seven years, the most eventful in our history of India, decision, energy, and purity, marked every measure of his administration, and they were crowned with success. Thinking as I do of the conduct of that noble lord, thinking that he was the saviour of British India, and convinced that an ardent zeal to promote the honour and the real interests of the country governed every part of his conduct, I shall oppose the resolutions moved by the noble lord; and shall most cordially concur in the motion of the right honourable baronet.

Mr. GRANT differed from the honourable gentleman, who had just sat down, because he thought the measures of the noble marquis had been extremely prejudicial to the interests of the company. He thought the transaction in Oude, both in its nature and progress, extremely unjust. Of all the important questions that could come under the consideration of parliament, this was the most important, because to that was the last appeal to be made, in case of any abuse of power in British India. After adverting to the circumstances by which the Company first became involved in the quarrels of the native princes, the honourable gentleman said, that whatever might have been the opinion upon these subjects, they had always considered treaties as sacred. Marquis Cornwallis felt sensibly for the disorders in Oude, but so strong was his regard for the faith of treaties, that he never interfered upon the subject, otherwise than by remonstrance. It was in the breach of the treaty that the essence of the present question consisted. A solemn treaty had been violated six months after it had been entered into, without any material change of circumstances to render that violation necessary. The negotiation which led to the new treaty was carried on with a series of compulsory measures, executed with extreme rigour, by which the nabob was compelled, under a menace of the deprivation of his whole territory, to agree to the new treaty, whereby he was to pay 135 lacks instead of 76 lacks of rupees, as a subsidy, and instead of ten or thirteen thousand troops, any unlimited number was to be employed in his territory. Thus the nabob had been deprived of the whole benefit of the treaty of 1798, and yet in 1806, the num- of British troops employed in Oude did not exceed 11,400. The nabob was by these means reduced to the state of a Zemindar, completely dependent upon the government of Bengal. When Oude first threw itself into our protection, it was by treaty, and, except by treaty, we had no right to alter the relation of that country to our empire in India for the nabob had fully complied with the treaty of 1798.

1798. The time at which that treaty had been violated had been a time of profound peace. They had heard much of the alarm of invasion by Zemaun Schah, and of the danger arising from Buonapate being in Egypt. But he had marquis Wellesley's own authority for saying, that the danger of invasion had passed away at the time of the treaty by the destruction of Zemaun Schah. Here the honourable director proceeded to read an extract from a letter of lord Wellesley to the secret committee of the court of directors. This document proved that the danger from Zemaun Schah had passed away at the time the treaty was negotiated, and he contended, that before the troops had been marched some communication ought to have been made to the nabob vizier. The demand of the reform of his troops the nabob seemed never to have understood, but as applying to their improvement, and not to the reduction of them; and, therefore, some explanation ought to have been given to him of what was required of him. On the whole, he could not see that the occasion called for the interference. The assumption of the territory in the Carnatic, which had been done under an imperious necessity, did not apply; and as to the deposition of vizier Ally, that event had originated in his own violence; and the circumstance of his being spurious, and not of the blood of Rajah Sujah ul Dowlah. The honourable gentleman denied that the transactions in Oude had ever received the sanction of the court of directors, at the period stated by the honourable baronet, and for a good reason, because they had not been acquainted with them, and when they were informed respecting them, they had taken the course that the occasion called for. It was not till the 24th of June, 1802, that the treaty had been communicated to the council of Calcutta, six months after the transaction had taken place, and a great part of the impropriety of the case arose from the circumstance of the noble marquis having taken upon himself to violate the treaty of 1798, and to take one half of the province of Oude from its sovereign. It might be asked what was now to be done? He would not take upon himself to say, but he thought that substantial justice ought to be done in some manner. The character of this country was its dearest possession; and he was convinced that that character would be compromised, if the House should not, with a view to national honour, and national justice, express its disapprobation of this transaction.

Sir John Anstruther, in explanation, denied that he had thrown out any aspersion on the administration of lord Teignmouth, although he thought it a government more of mildness than of vigour.

Mr. Wallace declined entering into any detailed examination of the papers on the table, but vindicated lord Wellesley's conduct from the great feature of his administration. With respect to the resolutions of the noble lord, they kept short of moving an impeachment; but lord W. was not much obliged to him for that, because if the stigma affixed upon his conduct was just, the house could not, consistently with its own honour, and that of the country, forbear prosecuting him before a higher tribunal. Our connection with Oude, he maintained, originated in absolute conquest,

quest, and all that the nabob or his family possessed they owed to British munificence. In the treaty of 1798, it was stipulated, that if there were more than 13,000 men in the country of the nabob of Oude, he was to be charged with the support of them; and if there were less than 8,000, there was to be a proportionate deduction in the subsidy, and there was also in the treaty an established right of general interference in the government. On lord Wellesley's arrival in India there was the loudest call for this interference. There was no protection either for the person or property of the inhabitants, and they were oppressed by a large, useless, licentious, and he might add, disaffected army. In support of this statement he quoted the authority of Sir James Craig; and if this were true, lord W. had two things to do, to substitute a force for the defence of the country, and to get rid of an army which only served to burthen the country. Of the necessity of this reform in his army the resident of the nabob himself was convinced. But before a negotiation for this purpose could be set on foot, a voluntary proposition was made by the nabob to abdicate his government. This proposition lord W. met with eagerness. But was his acquiescence in a proposition which was likely to be productive of the best effects to the people of that country, to be attributed to the overweening ambition of the noble lord? If this was a crime in the noble lord, the hon. gent. declared that it was one in which he deeply partook. But so far from its being a criminal act, he thought lord W. would have been wanting in his duty, not to have embraced an opportunity of doing so much good, by transferring the inhabitants of an oppressed and distressed province, to subjection to the mild laws of a British government. In these circumstances, British troops were sent into the country; and this measure was, in the first place, perfectly consonant with the treaty; and in the next place, it was in the then situation of the province of Oude, absolutely necessary to the defence of the country, which was essential at the time to the protection of the British dominions. It was incumbent on those who contended, that our power was then abused, to shew either that our territory was not threatened, or that the troops of the nabob were adequate to his defence; neither of which propositions could be made out if attention was paid to the hostile demonstrations of the Mahratta powers, or to the state of the nabob's army. And if a British force was necessary, the only question remaining to be settled was, whether the number of troops sent into the province of Oude were more than sufficient for the purpose of its defence; for if they were not more than what the exigency of affairs required, we were authorized by one of the articles of the treaty to demand that the expences of the army should be defrayed by the nabob; and if this could not be done by any other means, to take possession of his territory as a security. On these grounds he gave his decided negative to the resolutions of the noble lord.

Mr. S. Lushington (member for Yarmouth) contended, that the observations made by the hon. gent. who preceded him, did not, in great part, apply to the question then submitted to the consideration of the house. Without following him

him throughout the extensive circuit he had taken, the paramount question was, whether the character of Great Britain, for good faith, had been preserved? It was, whether the marquis Wellesley, in those treaties, which pledged the honour and credit of this country, had not, without any pretext on the part of the nabob of Oude, violated their spirit and letter, and consequently deteriorated our character with the native powers of Hindoostan? The hon. gent. had asked, what benefit could marquis Wellesley acquire in keeping possession of the principality of Oude? That was not the question; but the fact was, that he had continued in possession of that principality from 1801 until 1805. The noble marquis had disdained to regulate his policy in the government of India by that system which the East India directors had recommended; regardless of the voice of the British legislature, of two acts of Parliament forbidding the extension of territory, he had, confident in his own talents, and in gratification of his own ambitious views, abrogated the solemn provisions of ratified treaties, and committed, by his disregard of the recorded injunctions of Parliament, the good faith of the British character, and the security of our possessions in India. It had been said that such a system of action was executed for the public good, that it was not only calculated to produce benefit to Great Britain, but to the very people and government against whom the aggression was committed. Against this interference he should ever contend, that it was the universal plea of tyrants, the ready defence of oppression, and it was that palliation which heretofore had been given by all the promoters of conquest and subjugation in India. Such a defence was similar to that assumed by Buonaparte; it was only to be compared with the French decree of 1792, which this and every other moral country reprobated, because it was founded on that reprehensible principle, that a foreign power was justified in interfering with the domestic arrangements of a state, under the professed pretext of correcting the errors of its domestic policy, and of advancing the general happiness of the people. Was it in England that such a plea could be tolerated? Was it in this country that such a pretext of interference with the rights and independence of a recognised government could receive sanction and support from its legislature? But, what was the first mode of relief? it was a monopoly of salt, from which the hon. gent. who spoke last said a revenue of 125,000*l*. was derived. Such an impost, as creating a monopoly, was in every view injurious; but, as affecting a necessary of life, was unjust and tyrannical. There was no proof of that evident necessity which could alone warrant the interference with the nabob of Oude. There was no backwardness in the payment of his instalments on the part of that prince. But it was evident, that from the very moment that marquis Wellesley arrived in India, when he was scarce warm in his office, before any complaint was or could be made against the nabob, he, the marquis, had, in his first dispatch to colonel Scott, the resident at Lucknow, expressed his determination of possessing himself of the Duab, a very extensive proportion of the territory of Oude. Whilst, therefore, the non-payment of the subsidy was made the visible ground for invading

ing the independence of that prince, the eventual accomplishment of a territorial cession was the paramount object of the marquis Wellesley's policy and exertions. Indeed, from the correspondence of that nobleman with colonel Scott, there was nothing to be traced but one tissue of hypocrisy and dissimulation, holding out false hopes and views to the nabob, at the same moment that difficulties were created, in order to make their existence a pretence for carrying into effect the views of aggression entertained by the marquis Wellesley, from the first moment of his arrival in India, against the principality of Oude. Much had been said of the dilapidation of the resources and financial means of Oude, in order to give a colouring to the system of conduct pursued against the nabob. Let the house and the country, for a moment, bear in their recollection, that from the commencement of the British intercourse with Oude, the subsidy paid by that principality increased, in twenty-four years, from 115,000*l.* to 1,600,000*l.* British; a pretty convincing answer to such allegations, and an unanswerable proof that there was no disinclination, on the part of the nabob to pay for the security he had received. But for what purpose were the means of assistance adopted by the British government? Was it for Oude solely? There was no person so Quixotic as to believe that any government was now animated by such disinterested principles. It then was for the security of the British power in India; and surely if a sum of money was expended for the defence of Ireland and Scotland, and through these parts of the kingdom for the security of the empire, there was no man who would say that these particular portions should be separately burdened with the expense which was incurred. But the marquis Wellesley, in his conduct to the nabob, was not content with exacting the whole of the subsidy. He called not only for it, but, as it was rumoured, for more than the specific amount, and that to a moment; adding, by his future demands for territorial cession, a spirit of severity to a principle of perfidy and injustice. It was in evidence before the house, that lord Teignmouth had declared, that as long as the nabob of Oude paid his instalments, the British government was bound by treaty not to demand any territorial security. He did pay up the instalments; and in what view did the aggression of marquis Wellesley then present itself? It was upon these grounds that he appealed to the feeling of the house, to its love of justice, and sense of moral character. He called upon it to vote its censure upon a man, who, in violation of the law of the land, and the binding provisions of a solemn compact, had been guilty of cruelty and oppression, had degraded the character of his country, and would, on every progressive step of the inquiry, be found more deserving of public reprobation.

Mr. Bankes thought that the house had no jurisdiction on the subject. He deprecated, at all times, the house taking upon itself judicial functions, as he conceived they generally, in such cases, judged badly. He thought it highly improper. He remembered the house once being occupied, for a long time, in judicial investigations about Sir Thomas Rumbold, which ended by the members absolutely ceasing to attend;

tend; and, on the last resolution upon that business, there were precisely forty members in the house. The delay in Mr. Hasting's business also shewed the necessity of a separate judicature for Indian affairs. The honourable member concluded by deprecating all further investigation upon a subject wherein the house could come to no efficient conclusion answering the ends of justice.

Mr. W. Smith suggested the propriety of adjourning the debate, on the consideration of the lateness of the hour, and the many members who had yet to deliver their sentiments upon the extensive question then before them. After a few words from the Chancellor of the Exchequer and Lord Folkestone, the debate was adjourned to Tuesday next.

Tuesday, March 15.

Conduct of Marquis Wellesley—Resumed Debate on the Oude Charge.

The house resumed the adjourned debate on the conduct of the marquis Wellesley relative to the affairs of Oude. The first resolution being read,

Sir Thomas Turton spoke as follows:— Mr. Speaker;---- considering this question as intimately connected in its policy with that which it will be my duty shortly to submit to the house, (the Carnatic Question) viewing it as one great link of the same chain of Eastern policy (if policy it can be called) that distinguished the administration of lord Wellesley, I cannot content myself with giving a silent vote on motions of the noble lord. In proceeding to the merits of the question, I cannot but lament that it has been treated, not so much as the revisal of a great political measure, involving a system of government, as the case of a distinguished individual. I cannot treat it in that light, for, respected as the character of the noble marquis, and his individual interest in the transaction ought to be, it is still only that of an individual, and as such, least in importance. For what is the real state of this question in a great political view? The government of India (over which, it is true, the noble marquis presided at the time) has violated a solemn treaty executed between lord Teignmouth, the then governor-general, and the nabob of Oude, in February, 1798, and to which the faith of the British government was pledged, which existed at the time, and to the performance of which we were at the very moment binding the nabob. The particulars of the violation were,---1st. The reduction of the army of the nabob against his will, an interference expressly guarded against in the 17th article of the treaty; and, secondly, the taking from him, by violence, one-half of his territories, and reserving to ourselves the complete controul over the remainder, by a paper, which we chose to denominate the treaty of 1801. The pretences assigned for this conduct, particularly by a right honourable baronet, whose connections with, and obligations to, the noble marquis, have induced him to stand forwards as the champion of the government of India, on this occasion, are three-fold; first, the right;---secondly, the expediency and even necessity of the exercise of it;---and, thirdly, instructions of the government at home. First, Sir, as to the right of the government of India, to commit these acts of tyranny. From whence is it derived? The right honourable baronet

ronet has not condescended to tell us. Is it derived from the treaty of 1798? That in the article to which I have referred, expressly guarantees the right of the nabob to a full authority over his household affairs, his troops, and his subjects. As long as this treaty existed, therefore, government could have no right to disband a soldier, or to interfere even with the lowest of his subjects; but, says an honourable gentleman, (Mr. Whitshed Keene) the right is 'that of the sword obtained by conquest, by that alone can your government in India be supported.' What occasion then for treaties, if the will of the conqueror is to be the only law? Willing am I to acknowledge, that when Sujah-ul-Dowlah, after the subjugation of his ally, Meer Cassim Ally, the nabob of Bengal, fell into the hands of the British, at the battle of Calpi, in 1765, it was the undoubted right of the India company to have disposed of the territories of Oude, in the manner they deemed most advantageous to their interests--- Indeed it appears they did so, for after having granted the emperor of Delhi, (for whose cause, and at whose mandate the nabob of Oude first entered on the war with the British government) they actually, by a firmaun, or agreement, with the emperor, made over to him the greater part of the dominions of Sujah-ul-Dowlah, which they had so conquered, and reserved a part to themselves. This was the right of conquest; a dreadful, but legitimate right. The sovereign was a prisoner in your camp,--- his dominions at your feet; but what was the conduct of lord Clive, when he heard of this agreement? He refused to ratify it; he considered that in every view of policy an extension of territory was to be deprecated; he released the captive monarch; he restored him to his dominions; he executed with him a treaty offensive and defensive, by which the two states agreed mutually to assist each other, in case of attack, with part, or the whole of their respective forces, as might be necessary. If, therefore, you had the right of subjugation by conquest, did you not abandon that right, when you concluded this treaty with Sujah-ul-Dowlah? And is there a single word in all the treaties since executed with the sovereigns of Oude, in which this right of conquest is referred to in the most distant manner? But, says the honourable gentleman, to whom I last alluded, 'the nabob of Oude was never considered as more than the ward of the company, who were his guardians.' Well then, if the company were his guardians, the disposition of their ward and his property ought, in some degree, to have been subject to their disposal. Their agent ought not to have acted without their authority. He ought not to have constituted himself the guardian, and in violation of every principle, the characteristic of that sacred name, to have first robbed him of half his property, and obtained himself to be appointed receiver and comptroller of the other half. But an honourable and gallant colonel (Allen) whose attachment to the noble marquis, and defence of his conduct is as natural as praiseworthy, says, 'the nabob was not an independent prince, and could not expect to be treated as such.' I have read something of this in two long publications gratuitously conveyed to me, on the eve of this motion; and I have thought it my duty to

wade through them. Does the noble marquis rest his defence on either of them? To satisfy any man of the wildness and extravagance of the doctrines contained in them, I need only state, that in one of them, the author, after deducing from Vattel, Puffendorff, Montesquieu, and even Locke, the right to treat the nabob as our slave, represents him, as filling 'an office perfectly analogous to that of Lord-lieutenant of Ireland;' and by another author we are told, 'that Oude was a dependent fief, the company paramount lord, and the nabob its vassal,' and I think the result of his argument is, that not having taken from our vassal the whole of his dominion, we have treated him with 'signal indulgence.' I should be ashamed to answer arguments (if so they can be called) like these; but, I would ask the honourable officer, who terms the nabob a dependent prince, as having no rights of sovereignty, except what were derived from the company, and to whom they reverted at their will and pleasure, how he could reconcile to one principle of common justice, much less of British generosity and magnanimity, the cruel and oppressive treatment of a dependent prince, subject to your power and will? But, Sir, if this unhappy prince had no independent power, if he possessed no power, no dominions, nor subjects, but those of the company, existing only in a combined and amalgamated state with theirs, what occasion for this treaty of 1798, explanatory of the respective rights of the company, and of the prince? If these doctrines have any foundation but in usurpation and tyranny, how came these words in the preamble of the treaty of 1798: "Whereas various treaties have been concluded at different times between the late nabob Sujah-ul-Dowlah Behader, and the nabob Asoph-ul-Dowlah Behader, and the honourable the East India company, to the mutual advantage of their respective dominions, the nabob, &c. and Sir John Shore, bart. on the part of the honourable the East-India company, with the view to perpetuate the amity between the two states, &c." Are not these words conclusive of the opinion of the government of India at the time, that they were two distinct independent states, or dominions? Is such a preamble consistent with the idea of a paramount lord and vassal? Is not this a recognition of sovereign rights? Besides, let it be recollected, if the nabob received his investiture from us, or from the moghul, from whom did we receive our dominion of Bengal, Bahar, and Orissa? I should wish to see any treaty produced, where the language is more consistent with independent and mutual rights. But the right honourable baronet says, our right on this occasion was founded on usage also; and he instances the interference of lord Cornwallis and lord Teignmouth, with the internal government of the nabob. Whence does the right of interference flow?---When has it been exercised, and by whom?---Certainly not, as contended by lord Cornwallis and lord Teignmouth, further than by advice. But, for argument sake, suppose the right, where was the necessity of its exercise at the moment? It has been said that the troops of the nabob were mutinous, disaffected, and inefficient, and that this justified their reform. Neither the right honourable baronet, nor any other gentleman, has

has favoured us with one tittle of proof of the disaffection, except that when Zemaun Shah threatened to invade Oude, the nabob was apprehensive of his person, and requested some British troops at Lucknow. But is the real cause assigned of this request? are we told (as in fairness we ought) that the nabob had at the instant been raised to the musnud, as the lineal successor, and Vizier Ali displaced, (whose partizans were then very numerous, in the country between Benares and Oude) that scarcely warm in his seat, he was apprehensive of the advantage which might be taken of Zemaun Shah's approach, and of the flight of Vizier Ali into Gorruckpore with 6000 men, after the murder of Mr. Cherry, at Benares, by the enemies of the company and himself, to excite mutiny amongst his troops? But was there any thing like mutiny or disaffection amongst his troops at the time of your projected reform? Was there any vizier Ali to create mutiny; or any approach of Zemaun Shah to encourage it? That different regiments mutined at times when long arrears were due to them, could not be brought as a reason; it is well known that scarcely any power in Hindoostan is exempt from such instances. Their troops are always greatly in arrear (I wish ours may not often be so,) and when the abuse becomes intolerable, it remedies itself. The troops mutiny, march to the seat of government, get paid, and return again to obedience. But then they are wholly inefficient, it is said: not wholly so, whilst all are most fit for the enforcing and collection of revenue, (as will be seen hereafter.) The evidence on your table proves that some, particularly the troops of Almas Ali Khan, the great Aumil of the Doab, are efficient in our opinion; but are they not all as much so as Mussulmen troops are in general throughout the world? It is not the question whether they are as efficient as European troops; but whether we had the right to disband them at our will and pleasure? But it has been urged that the peculiar situation in which we were placed at the time, rendered it absolutely necessary that a considerable reform should take place in the vizier's troops; that our north-western frontier was endangered by the threatened return of Zemaun Shah, and by the influence of France in the western part of India. It has been added even, that the French were in Egypt when lord Wellesley landed in India. Such an excuse for this act of oppression and tyranny (for I will presently shew that even then it would have been merely pretence) might have been advanced; but when the victory of Aboukir, and the subsequent successes of the British arms in Egypt, (long before the conclusion of this scheme of rapine) had annihilated the French power in the East, when the conquest of Tippoo Saib had destroyed French influence in India, how can such an argument be advanced for the measure? Zemaun Shah too was destroyed; and although his brother, Mahmood Shah, was pledged to pursue the same career, and to attack British India, yet was he likely to be more formidable than his brother? Was the situation of India more dangerous, after the destruction of Tippoo and the conquest of Egypt, than before? and what were the preparations

parations made to resist Zemaun Shah, in 1798? Why, 15,000 men, (exclusive of those left to protect the nabob) under the command of Sir James Craig. The treaty of Lucknow compelled you to have 13,000 men; surely 7000 more, the extent of Sir James Craig's wishes, might have been sent from the British provinces, to defend its north-western frontiers; for was the invasion of Zemaun Shah directed solely against the nabob of Oude: was it not equally directed against the British power in India? and were we to contribute nothing to our defence, and the nabob every thing? Was this just or reasonable? But even if 20,000 men were necessary for the defence of Oude only, was it not possible to have raised and disciplined 7000 men out of the armies of the nabob, which amounted to between 30 and 40,000? Was not this the kind of reform we should have first attempted? We might have made at least the experiment, and seen what British influence, and discipline might have effected. It will not be pretended that you would have found any effectual resistance in the nabob to this measure of disbanding part of his army, and disciplining the remainder. On the contrary, we find him actually assisting in such a project, for half the battalions were purposely left unfilled. Conscious of the inutility of so large and unorganized a force, he would gladly have reduced a great part and organized the remainder. At first this was all you asked; you desired only a reform of his army by the reduction of part of his useless battalions; you said not a word of marching in your troops to replace them. Having repeatedly stated his army to be worse than useless, to be dangerous, and embarrassing to your own, all that you could wish was the removal, as far as was possible, of this danger and embarrassment. Any reduction was a gain; it diminished your fears, and concentrated your own force; it required, therefore, no additional number of troops. This was your alleged view of it at first; for Sir Alured Clarke, in his letter to the vizier, of the 21st of June, 1799, writes thus: "the defence of your excellency's dominions against foreign attack, as well as their internal tranquillity, can only be effected by a reform of your excellency's military establishments. There can be no doubt that the measure might be effected with a degree of advantage to your excellency's finances, little inferior to that which it promises to your military establishments." So lord Wellesley on the 26th of September, three months afterwards, writes thus: 'I cannot conclude without expressing my anxious hope that your excellency will not suffer any consideration to delay, for a moment, the necessary alterations in your military establishment; on the early completion of the improvement of your army, the safety and prosperity of your dominions essentially depend, and the present is the most favourable season for the accomplishment of this great and salutary work.' Is it not plain from these letters, that what was originally meant and proposed, was a military reform? Nor did the nabob view it in any other light: for on the 20th Oct. 1799, he writes to lord Wellesley thus, 'your lordship desires that I will not delay, for a moment, the necessary alterations in my military esta-

blishment.

blishment. The fact is, that the benefits, both immediate and future, of such reform, are even more strongly impressed upon my mind than they are described by your lordship: and accordingly, a year ago, from a sense of those benefits and of the evils arising from the failure of my resources, and the increase of my expenses, I, of my own accord, planned in my own mind a reform in the system, and was the first to propose it. Your lordship's reply that pressing avocations obliged you to postpone the question, rendered it a case of necessity.' So that after all the assertions of the nabob's unwillingness to listen to the measure of reform, it actually appears that he was the first to propose it, and that the delay was alone to be imputed to lord Wellesley; indeed, I will defy the right hon. baronet to produce any one instance, in which any refusal, or even disinclination, on the part of the nabob, existed to reform his civil or military government; he was always anxious to procure from the resident such a plan—nay, he himself had led to it by divers reforms and retrenchments; this you have had from major Ouseley, at the bar of this house, who, after describing him as a "sensible, acute, and well-read man,' as 'an excellent scholar,' and 'a great ornament of society;' and a man of considerable talents for business, tells you, 'that he corrected a great many abuses in all parts of his establishment;' so that we find it was not a mere profession, but a fixed and steady determination in the nabob, to introduce every practicable reform into his dominions.—But did the noble marquis wish for a reform? did he propose any thing resembling it? will it be pretended, that the proposition to disband his whole army, and to pay for any additional and unlimited number of troops you might chuse to introduce, was a proposition of reform of his army? and did you make any other? No, you never intended to do so. No, sir, reform was only a paltry and despicable pretext; your plan was settled, and your means were adequate. You marched in a large body of troops, not to reform the nabob's military establishment, but to make your power irresistible, and his resources exhausted.—You demanded the disbanding his army; you knew the consequences would at the least be the diminution of his revenues; you compelled him to pay their arrears; he did so; you then required payment of the troops you had marched in. After some ineffectual remonstrances, he complied with your requisitions: but this would not satisfy you; he had found the means of frustrating your iniquitous project; till his coffers were exhausted, you had not the means of executing your plans; ingenuity, therefore, must be stretched to find other pretexts of extortion. A long dormant claim, one that was never in the contemplation of lord Teignmouth, for the expenses incurred by the company at the period of Zemaun Shah's approach, was then advanced; to this was added a demand of a lack, and 40,000 rupees for the repairs of the fort of Allahabad. Nor was this all; we had sent two embassies to Persia to counteract the views of Zemaun Shah in Hindostan; half of the expense was demanded of the nabob: emptied as his coffers had been by our previous extortions, we

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were in hopes these demands would wholly exhaust them; or, at least, that they would draw forth from the nabob some acknowledgment of inability to pay them, which might found the pretence of seizing his dominions. And on his remonstrating against the injustice and extent of these demands, and the time and manner in which they were brought forward, and expressing his anxiety, lest such vast and reiterated demands made at the same moment, "should occasion a failure in payment," and by that means "his responsibility should be impeached:" the governor-general easily seizes on "this possible inability to discharge his engagements with the company," (as he is pleased to term it) as the foundation of a demand, the most unjust and tyrannical, but which was always the ultimate object of the government. The resident is directed to propose to the nabob, either, 1st. The complete transfer of his whole authority, civil and military, to the company; or, 2dly. Territorial cessions in perpetual sovereignty, equivalent to subsidy and the charges of the augmented force, and this under the seventh article of the treaty of Lucknow, an article which could relate to nothing more than the subsidy settled by that treaty, which was 76 lacks of rupees, not to the augmented demand of upwards of 54 lacks more. For a long time the nabob firmly resisted both these iniquitous propositions; and it was not till he was informed that his further resistance would be ineffectual, that he chose the least degrading of them. But I may be permitted to ask on what principle of fairness we can accuse the nabob of artifice and duplicity: we who, during the whole transaction, in our instructions to our resident, made use of every little subterfuge, every pitiful pretext, to cover our intentions; who, when we failed in persuading the nabob to surrender his dominions wholly to the company, instead of abdicating in favour of his son, according to his own proposal, instructed our resident to avow the indifference of the company to an act we had most at heart, and directed him to remove every idea from the mind of the nabob, that we anxiously wished him to abdicate; we, who when we marched our augmented force into Oude, stated the situation of Rohilcund, and the success of Gholaum Khader, as the pretext for their march, acknowledging at the time that they were but pretexts. With what face, then, can we accuse the nabob of duplicity? I shall always think, Sir, that if the policy of our government in India was to strengthen our north-western frontier by the possession of the Doab, and by the dismemberment of Oude, and the extension of our territory in India, (a policy I much doubt) it would have been more manly, more becoming the character and honour of the British government, to have openly avowed our determination, rather than by these little unworthy pretexts and artifices, so insulting to common sense and honesty, endeavouring to justify an act, which, though in itself atrocious and tyrannical, was, in its execution, attended with circumstances still more disgraceful to the British name and character, than the act itself. But, Sir, it is said, with confidence, by the right honourable baronet, that the noble lord only followed the instructions he received

ceived from his employers, and that the commutation of territory for subsidy had been recommended by them. When the right honourable baronet stated the instructions lord Wellesley had received, and held in his hand a large folio volume of papers and instructions, I thought he would have favoured us with one letter or paper of instructions from the secret committee, or the cour of directors, justifying lord Wellesley in his conduct to the nabob of Oude, and which might have escaped my observation: and although I should not have thought the violation of a solemn treaty, even under the sanction of such authority, deserving the approval of this House; yet, certainly, the noble marquis could not have been accused, in such case, of any thing more than submitting to be the instrument of the company's injustice. How then, Sir, must the House have been astonished to find, that not one letter, not one scrap of paper, not one expression in any letter, which can be tortured into an instruction to the marquis Wellesley, even to commute the subsidy for territory, with the consent of the nabob, much less against it, has been produced or read; and after this is broadly stated as one ground of defence of the conduct of the governor-general, we find it amounts to no more than this, that in former times the government of India was instructed to attempt to persuade the nabob of Arcot to commute subsidy for territory, and lord Wellesley himself actually carried out instructions so to do. It is remarkable, that in the only instance where lord Wellesley seems to have attended to the instructions of his employers, or considered them more than waste paper, is on this very subject, where he is ordered by them to go to Madras, previously to taking upon himself the government of Bengal, with a view of persuading the nabob to consent to this arrangement of territorial cession, in lieu of subsidy. But what were his instructions? Why, to use no other means than persuasion to induce the nabob to consent to the proposed arrangement; and these being his instructions, he was obliged to leave the object unaccomplished. Now, Sir, after having taken all this pains to travel from Bengal to Madras, to find a justification of the noble lord's conduct, by analogy to instructions given to the late government—how have we succeeded? Not one instance of instruction to any governor-general in India, to obtain an exchange of territory for subsidy, by force, is to be found—directly the reverse. I defy the right honourable baronet to adduce even one solitary instance. I am content to rest the whole of this case on such proof. But, Sir, I will not waste another word in attempting to refute the mass of fallacious and plausible statements, which the ingenuity of the honourable baronet has produced, and which have been stated with a solemnity that would make one fancy there was something of truth in them. Let any man read the papers, and he cannot for an instant doubt on how weak a foundation rests the defence of this disgraceful transaction. Yet the injustice of the transaction may find some excuse in its policy, and in the advantages resulting from it. Well, let us examine it in this view. What have been our gains? Have we more security now than before?

fore? Have we bettered our finances? Is our government in India more secure? Have we even improved the condition of the natives? If these objects, or any of them have been gained, we have something to put to the credit side of the account. In what way is our security increased? Is our north-western frontier defended by a greater body of forces?—No. Have we a larger army of British troops in Oude than before?—No. On the contrary, although the pretended object of our first attack on the nabob's independence was the necessity of a much larger effective military establishment in Oude, we have since the treaty had permanently a less force than before. The average number has been from 10,000 to 12,500 men from the year 1802 to the last account in 1806, and the greater part of these scattered up and down the ceded provinces, in the brilliant employ of the collectors of the revenue, to the great annoyance of the natives, and the ruin of the discipline of the army, as has been stated to you by Sir James Craig, in his evidence at your bar. I cannot help asking here—what can be a stronger proof of the falsehood of our reason for marching in our troops than this statement, which is strictly correct? But are our finances improved by this measure? Ask the India company. It has been acknowledged that the flourishing statement of the probable future revenue of the ceded provinces, by Mr. H. Wellesley, has never been realised. You have been told by an honourable director, (Mr. Robert Thornton) the immense increase of debt, during the administration of Lord Wellesley: and much am I deceived, if the committee you have just appointed to enquire into the state of the company's affairs, will not soon furnish you with a statement much less encouraging than the one you have heard. How, indeed, can it be otherwise? Can this system of eternal war, of extended territory, be carried on without a proportionate expence, and consequently of increase of debt? Firmly am I convinced, that all your debts and embarrassments are owing to the wretched and disgraceful system of extortion and plunder you have pursued. But will it be said, that our government is more secure. How will the friends of Lord Wellesley prove this? Is it by the temporary subjugation of the princes of India? Is that the security on which we must rely, should the present ruler of France carry into execution his projected attacks? Is there one of these princes on whom you could, in such case, rely! Your treatment has made them your bitter enemies in heart—though they are now your humble slaves. The appearance of an European army would rekindle the flame of resentment, which, if suppressed, can never be extinguished. A government by force, as has been recommended by an honourable gentleman, (Mr. Whitshed Keene) cannot be durable. It is physically impossible, that 30,000 Europeans should be the absolute masters of sixty or seventy millions of the inhabitants of India, subdued by violence or treachery; For, let gentlemen look at the map of Hindoostan, and they will see the extent of the mischief in which this wretched system has involved us. From the extremity of the Malabar to the Coromandel coast, all is British influence and oppression. How have you treated the nabob of

Surat?

Surat? He had a divided authority with the company; you have taken it from him, and made him a pensioner on the bounty of the company---a mere cypher of authority, subject to your will and pleasure! How have you treated the unhappy chiefs of the southern Polygars? You haved razed their forts; hung them up at the doors of their own palaces, and transported to New South Wales their relatives and adherents! What have you done with the Rajah of Tanjore? You have made what you call a treaty with him; by which you have taken all his dominions from him and pensioned him off! What has been your conduct to the Nizam? When you parcelled out Tippoo's dominions, you in your bounty gave him a part; you have taken them from him by a similar agreement which you call a treaty, under the pretence of a commutation for subsidy:---and if Lord Cornwallis had not returned to India, you were on the eve of introducing the same reform into his military establishments, as you did in Oude; so indeed would you have done with the Peishwa, but for the interference of that respected nobleman. How have we conducted ourselves to the nabob of Arcot? We have made a treaty with him too!---Ah! sir, such a treaty, attended with such circumstances, as it will be my painful duty to state to the house hereafter; suffice it now to say, he retains not a vestige of power. With this cursory view of our situation in India, is there any man bold enough to view it without apprehension? But, sir, though last, not least, in the contemplation of every benevolent and feeling mind, has the condition of the natives been improved? Has any system of police been introduced: any plan even proposed for the melioration of the condition of the lower orders (those for whom, as the right honourable baronet states, British laws were peculiarly calculated?) Has the industrious ryot been protected in the enjoyment of the fruits of his industry, against the extortion of the zemindar?---No, sir; we hear of reform, but the people have experienced none; their condition in the space of four years, and upwards, has been not one whit mended; and this we have from the authority of Mr. Strachey, who was a judge in one of the ceded provinces. He tells you, that up to the year 1805, this detestable police (as the right honourable baronet represents it) remained in the same state; not one step had been taken by the British government to improve the police in the ceded provinces. This gentleman was judge at Midnapore, the very spot to which the Mahrattas marched, in their way to Bengal, in 1780; and we have evidence from him of the state of his province. He says, that continued disturbances arose, in consequence of the substitution of our military for the forces of the country, in the collection of the revenues; and he was actually obliged, in order to preserve the peace of the country, to dismiss the military, and restore the police to the zemindar; and by that means the people were satisfied, and the province tranquil.---What too does Mr. Riley, the judge of Etawa, say? Does he furnish you with the glowing portrait of the peace and happiness of British rule in India, so feelingly contrasted by the right honourable baronet, with the anarchy and misery of the native governments? Where

Where is the magic wand, which was, at the instant, to convert licentiousness into subordination, and, in the name of British justice, to substitute civilization and good order, for barbarism and revolt? And now, Sir, the amendment of which notice has been given by the right honourable baronet on the last motion, brings me to the personal question, as it immediately effects the noble marquis. I have before said, I consider this the least important view of the subject, because the destruction of the system, not the punishment of the man, is, and ought to be, our object. The right honourable gentleman seems to think otherwise, and if lord Wellesley can be saved harmless, 'the suffering millions' of India (as in contempt he is pleased to term them) may remain pillaged, oppressed, and subjugated. Let us then consider, if in truth and justice, the noble marquis can be saved harmless. Sir, I am well aware how much the brilliancy of exploits dazzles and confounds the judgment, how much the recollection of splendid victories achieved in a good cause, shuts our eyes to future misconduct in a bad one. It is a natural and irresistible feeling. The achievements of the noble marquis in the Mysore war against Tippoo, and the complete destruction of French interest in India, the consequence of that event, entitled him to the highest commendations of his country.--- It is impossible to speak in terms appropriate of the peculiar merit which attended that exploit, not only in its success, but in the vigorous and energetic measures of lord Wellesley, which preceded and ensured it. His conduct, on that occasion, reminds me of the splendid and useful qualities attributed by Cicero to Pompey, when he wished to prevail on the Roman senate to appoint him to a command in its nature something similar. 'Labor in negotiis, fortitudo in periculis, industria in agendo, celeritas in conficiendo, consilium in providendo' All these attributes the noble marquis may justly lay claim to, in the war against the Indian Mithridates, and if he had, immediately after this conquest of Mysore, left India, he would have merited the unqualified approbation of his countrymen. But, Sir, after reading the papers on your table, of his subsequent conduct, is there any impartial man who will venture to say that his laurels remain unfaded, untarnished by his subsequent conduct? Highly as I respect the talents of the noble marquis, I cannot permit the brilliancy of those talents to shut my eyes against the acts of tyranny and injustice we are now examining? I impute to him no corrupt motives; but is that unbounded ambition, which permits no obstacles to the attainment of the most unjust ends, no crime? Is such an ambition less fatal to the interests and character of a great nation than personal avarice? Insatiable as they both are, the effects of ambition are more pernicious, because more extensive and durable. With a considerable bias on my mind in favour of lord Wellesley, I feel compelled to pronounce a verdict of guilty, and that against him alone; for plainly manifest is it, that in the whole of these momentous proceedings, whilst his disregard and contempt of the company's authority has been avowed and justified by the right honourable baronet, he has not even condescended to communicate

municate to his council his intentions towards Oude. I had nearly forgot the justification of the noble marquis from the subsequent approval by the court of directors. How does the right honourable baronet construe an approval of the treaty into that of lord Wellesley's conduct? An honourable director (Mr. Grant) has told you, that the naked treaty alone came to them, without one explanation of the manner in which it had been obtained, or the circumstances which preceded it. I wonder not they should approve a treaty, which (if they gave credit to the brilliant statement of the future revenues of the ceded provinces by Mr. H. Wellesley) promised so great a relief to their embarrassed finances; but when they did know all the circumstances attending it, did they then approve lord Wellesley's conduct? No, Sir, on the contrary, they stood forward, as manfully and honourably as they do now, to express their reprobation and abhorrence of it. On what then rests this part of the justification? It is as specious, but as fallacious as the rest. I fear, Sir, I have nearly exhausted the patience of the house; indeed I am nearly exhausted myself; but I was anxious fully to state the reasons of my vote on a question, which I consider most important to the interests and character of Great Britain, which has employed an attentive consideration of some weeks, and to which I have brought only an anxious desire for truth. One word, Sir, before I sit down, on the subject of reparation to the party injured. I wish this point had come under the consideration of the noble lord, and a motion had been directed to this object. Reparation to the injured is a proof of the sincerity of our repentance of the act. I think the committee now sitting, and to which I have alluded, is the proper tribunal to which reference in this case might be made; but I dictate not to the noble lord. Sir, I shall detain you and the house no longer; I am thankful for its indulgence, and of which I am conscious I have taken an unreasonable advantage.

Mr. Henry Wellesley said, that it was with the greatest reluctance that he ventured to obtrude himself upon the time of the house, upon a question of such importance, as that now under its consideration; but, having been principally concerned in the execution of those measures, upon which the noble lord's resolutions were grounded, and having been personally alluded to by an hon. gent. (Mr. Lushington) who spoke last but one previous to the adjournment of this debate, he trusted that he should be excused if he troubled the house with a very few words. During the several discussions which had taken place upon this subject, previous to the last session of Parliament, he had not the honour of being a member of the house, and he therefore had no opportunity of expressing his sentiments, even upon those parts of them which related personally to him. It was for that reason, as from what fell from the honourable gentleman opposite to him (Mr. Lushington) before this debate was adjourned, that he was anxious to avail himself of this occasion to state that although, during his employment in Oude, he acted for the most part under instructions from the supreme government, yet that nothing could be further from his disposition than to

to shrink from any responsibility which might be supposed to attach to him for the share he had in these transactions. The honourable gentleman (Mr. Lushington) expressed his surprize that one of his first acts, immediately after the territorial cession, should have been the establishment, in the ceded provinces, of a monopoly of salt; and he asked him where he had learnt that branch of political economy? Now, the honourable gentleman was mistaken as to the period when that monopoly was introduced into the ceded provinces, for it was not introduced till nearly a year and a half subsequent to the cession, when the territorial settlement had taken place, and when the company's civil and judicial system had been completely extended over those provinces; and, if the honourable gentlemen would take the trouble to enquire, he would find that a monopoly of salt forms one of the company's principal sources of revenue in the province of Bengal. He could not see therefore, why the establishment of such a monopoly, under proper regulations, in the ceded provinces of Oude, should not be proportionably productive as a source of revenue, and as little oppressive on the inhabitants, as long experience had proved it to be in the province of Bengal.—After the able and comprehensive speech of his right honourable friend opposite to him, (Sir John Anstruther,) he felt that he should tresspass unnecessarily upon the time of the house, if he attempted to enter, to any great extent, into the general question before it. He certainly thought, (and he was persuaded that he spoke the sentiments of most of the gentlemen present, who were conversant in the affairs of India, when he said) that our right of control over the affairs of Oude was fully established by the peculiar nature of the intimate connection subsisting between the East India company and the government of Oude; a connection which could not be dissolved without consequences the most injurious to both states, and probably destructive to the government of Oude. Much had been said respecting the interference of lord Wellesley's immediate predecessors in the affairs of Oude; and he certainly could not conceive a more direct and positive act of interference, or one which went further to establish the dependency of Oude upon the East India company, than that which was exercised by lord Teignmouth; when, with the assistance of a British army, he deposed vizier Ali, whose elevation to the musnud he had before sanctioned, and placed the present vizier Saadut Ali in his room. In adverting to this transaction, he had no other object whatever than to call the attention of the house to lord Teignmouth's opinion, with respect to our relations in Oude, whose authority, so deservedly respectable upon all subjects relating to India, is so entirely conclusive upon this particular point; and he hoped it would be understood, that nothing was farther from his intention than to impute the slightest blame to the noble lord for his conduct upon that occasion. On the contrary, he thought that, under circumstances of great difficulty, and, he believed, of personal danger, lord Teignmouth displayed a degree of judgment and firmness, which was highly creditable to his character. He also thought that

his

his decision was founded in strict justice; but was it only where justice was due to others, that our interference was warrantable? but where it was due to ourselves, in a case where our security depends upon our interference, are we to remain inactive spectators of the ruin of the resources upon which that security was to depend; nor could it be maintained, that the governor-general should have postponed his interference till that ruin was accomplished, rather than have interposed his authority to prevent it? That it was fast approaching, was abundantly proved by the papers upon the table; and he would ask the house, what must have been the condition of those provinces, if, in addition to the calamities under which they were suffering, they had been exposed to the evil of becoming the seat of a Mahratta war; and yet, had those provinces continued under the direction of the vizier, at the breaking out of the Mahratta war, it would have been utterly impossible for lord Lake (whose loss the public and his friends have so much reason to deplore) to have achieved that brilliant campaign, for which, among other marks of distinction deservedly conferred upon him, he received the thanks of the house. His army would have found sufficient employment in restraining and keeping in check the mutinous and disorderly troops of the vizier. Had he attempted to advance beyond the frontier, the country would have been in open rebellion; his supplies (if, indeed, he could have procured any from a country in such a condition) would have been cut off; he must, therefore, have remained in Oude upon the defensive, and (in addition to the evils of a protracted war) from the inadequacy of his force to cover the whole of a weak and extensive frontier, he must necessarily have left many parts of the country exposed to the irruption of the Mahratta army. In consequence, however, of the introduction of the company's authority into those provinces, lord Lake was not only enabled to draw his supplies from them, but to apply the whole of his force to the attack of the enemy, and thus he finished, in one campaign, a war which might otherwise have been protracted to a period of several years. These were a part of the advantages resulting from that territorial cession, a demand for which he maintained not only to have been justifiable, not only conformable to the spirit of the stipulations contained in the treaty of 1798, but absolutely necessary to our security. The vizier had repeatedly intimated to the resident, his apprehension of a total failure in the resources of the country, and in proportion as it was essential to the interests of the company, and of the vizier, that a large British military force should be permanently stationed in Oude, in the same proportion was it necessary, that the resources by which that force was to be maintained, should be preserved from failure. And, considering all the circumstances detailed in the papers upon the table, of the radical defects of the vizier's system of administration, of the mutinous spirit, and total want of discipline prevailing in his army, of the annual progressive decline of the revenues and resources of every description, and of the existence of a formidable French establishment, permanently stationed upon the most vulnerable part of our frontier; he repeated

peated that, under such circumstances, the governor-general whoever he might be, would not only have been unworthy of the trust reposed in him, but would have been guilty of a criminal neglect of his duty, if he had not taken effectual means for placing the company's interests in Oude, as connected with those of the vizier, upon a permanent foundation of security. The arrangement, as it now stands, has proved equally advantageous to both parties. The company no longer depends for the regular discharge of the subsidy upon the precarious realization of the revenues. On the other hand, the vizier, with a diminished territory, had, in a pecuniary view, derived a considerable advantage. For, although the districts ceded to the company, were rated at a crore and thirty-five lacks of rupees, it appeared, upon an examination of the account of the aumils of the several districts ceded, that not more than ninety lacks had ever been paid into the vizier's treasury from those districts, consequently he was a gainer of more than *forty* lacks of rupees annually, by the new arrangement. The noble lord (Folkestone) had stated, in his resolutions, that in pursuing this measure, lord Wellesley was actuated by motives of ambition and aggrandizement. But he positively knew that he pursued the whole progress of this arrangement with a degree of personal labour, solicitude, and anxiety, almost unparalleled, under a conviction that his duty required the steps which he took, and that he was acting in a most important and urgent case, not only for the advantage, but for the very existence of the interests committed to his charge. He also acted under a conviction, that his proceedings were consonant to the wishes and intentions of his employers at home; nor did he receive the least intimation, nor even a hint, that his measures in Oude were disapproved by the court of directors, until his return to England, in 1806, more than four years subsequent to the conclusion of the treaty. As to the motives imputed to him by the noble lord (Folkestone) he took upon himself to assert that in this, as well as in every other measure connected with his arduous administration, lord Wellesley had been actuated by no personal motive whatever, unless, indeed, it were that which (although so nearly connected with him, he trusted he might be permitted to say) had distinguished every act of his public life,---an anxious and unremitting zeal for the welfare and interest of his country. And he would put it to the house, whether, if the reports which had reached this country respecting the designs of Buonaparté upon our possessions in the East Indies, and of the progress which he had made in the furtherance of those designs, be entitled to any credit, whether this was a time to propose to the house to pass a vote of censure upon the measures which are best calculated to defeat his designs? An honourable director (Mr. Grant) had said, that the system of policy pursued by lord Wellesley, during his administration, was likely to prove injurious to our interests in India, at the present crisis of affairs. Did the honourable director think that our interests would have been safer, if the power of Tippoo Sultaun were still in existence, with the means which he possessed from the extent of sea-coast, which formed one of the boundaries of his dominions, of facilitating

ting the landing of a French army in the peninsula? Did he think that our interests would be safer, if the native powers of India were free from all connection with the British government, some of them with large French establishments in their service, one of these permanently stationed upon the most vulnerable part of our frontier, and upon that part of it which (in the course he was supposed to be pursuing) would immediately present itself to the enemy? Was it not evident that if such were the political state of India, at the present moment, that the danger which was supposed to menace it from the projects of Buonaparté, would be infinitely more formidable than it now is? And, lastly, he asked, if, at the present crisis of affairs, we derived any security from the destruction of the French power in India, and from the establishment of our influence over the councils of the native princes, was it not solely to be attributed to the measures pursued by his noble relation during his administration?---He said, he had only further to state, that as far as he was personally concerned in the transaction before the house, fully impressed as he was with a sense of the important advantages resulting from it, if he thought it possible that the resolutions, proposed by the noble lord (Folkestone) would be sanctioned by a vote of this house, he certainly should deeply lament it. But there was one part of this transaction to which he had not yet adverted, and to have been concerned in which could not fail, under any circumstances, to afford him the highest gratification, and that was, that he should have been instrumental to the relief of several millions of people from the most dreadful system of tyranny, oppression, and violence, that ever prevailed in any part of the world.

Mr. C. Grant, in explanation, said, that the war with Tippoo was one of defence. Here the measures were those of aggression.

Mr. George Johnstone felt great difficulty in offering his opinion upon the conduct of a person, who, on some occasions, had done great service to the country, and to whose motives he did the amplest justice. He had, at the outset of the noble marquis's government in India, been one of the first to offer his tribute of praise to his splendid actions, and it was not till he saw him enter upon a line of policy bad in itself, and disapproved of by the company at home, that he changed his opinion. It should appear from the papers on the table, that our frontier was in danger, and it was necessary to secure it; that would be a full justification of the noble marquis's conduct; but if, on the other hand, it was evident that no further security was necessary, and that his system went only to destroy the independence of every native power in alliance with us, and to interfere with their internal government, a double portion of censure ought to fall on him. In order to shew this to be the case, he would consider the subject under four heads: 1. The rights of the nabob of Oude by treaty; 2. His conduct under these stipulations; 3. The negotiation which was pursued for the purpose of procuring the disbanding of his troops; and, 4. The negotiation which compelled him to cede the half of his territory in commutation of his kists. The honourable gentleman then entered upon a detail of the circumstances that led Saadut Ally to the musnud,

musnud, and went through the articles of the treaty concluded between him and the company, in 1798, and contended that the danger of invasion from Persia, was as great at that time as it was at any future period. From this circumstance he drew the conclusion, that as the territory of Oude was not seized when the treaty was concluded by Sir John Shore, there never was a future occasion for resorting to such a measure. And what was the reason assigned for not seizing it? because it would ruin our character for justice and forbearance over all Hindostan. The treaty was concluded, and government pronounced it to contain every thing beneficial and desirable, and to be fully competent to the security of the interests of both parties. The nabob was sincerely attached to, and zealous in, the service of the company; to whom, on a pressing occasion, he gave money from his private treasures, and his family horses for the purpose of mounting a regiment. We were, therefore, in every sense, bound to the strist observance of the treaty; yet what would they say, judging fairly and impartially, when ten months after, they found the governor-general determined to break through it, to pursue the system of wresting the Doab from the nabob, interfering in his civil government, and disbanding his troops. From several letters this appeared to be his determination, and it was postponed a twelvemonth by the more important affairs of the Mysore, which were no sooner settled than Mr. Lumsden was recalled from Lucknow, and colonel Scott was appointed resident there. It was then they proceeded with violence to procure the dismissal of the nabob's troops, for the purpose of spreading their own over his dominions, and taking the collection of the revenue, as well as the authority of governing, out of his hands. He called upon the house to consider, in this place, the representation made by the nabob, (which he read) and, he was sure, if they did not feel for the cruelty and aggression that had been exercised towards him, they would be destitute of those feelings which a British parliament was never yet found to want. Yet, to this representation, so humble and so expressive of attachment, the most harsh and severe answer was returned by the governor-general. It made no alteration in his plans; and he went on with them in direct violation of the treaty, and that in a manner calculated to degrade the nabob in the eyes of his people. These measures at last threatened that the troops of the vizier were reduced to the amount of 14½ lacks, and a further practical reduction proposed, amounting to 15 lacks, besides the troops of that great officer Almas, who was countenanced, by the British government, against his own master, amounting to eight lacks. This, however, does not satisfy the governor, and the next step is to take an improbable alarm respecting the failure of the resources, and to demand a cession, not only of a part, but of the whole dominions of Oude, without leaving the sovereign any power at all, but remaining merely as a pensioner on the company. If any thing could equal this outrageous proposal, it was the double dealing manner in which it was wished to be effected, by asking the nabob to make an application to have it done as a favour to himself, and for the benefit of his people. He resisted

resisted it with meekness, but with firmness; and then came the letter accusing him of ingratitude, and threatening to send troops to take forcible possession of his territory. A demand of 38 lack of rupees is instantaneously required to be paid. This sum had increased from 17, in eight months, and he doubted that any part of it was due; for, from the accounts before the house, it appeared that, in former years, the expenditure of Oude was less than the payments. Thus, in the three preceding years, the expenses had been 60, 90, and 80 lacks, while the payments were 67, 98, and 92 lacks. Thus pressed, however, the nabob made an offer so fair, that the resident at Lucknow wished to conclude a treaty with him upon that ground. It was a cession of territory to the amount of one crore 20 lacks, for the payment of the additional troops marched in by command of marquis Wellesley; but even this was rejected by him. Harassed at last by all these means, the nabob only wished to resign the territory of his ancestors to his son, and by the most respectful means, a petition of right, addressed to the governor-general on this subject; but this also was reje ted in a most harsh and cruel manner. He doubted much that ever the noble marquis would have succeeded in his object, had he not appointed his brother to be resident at Oude, which appointment, by the way, was illegal, as being made without the advice or consent of the council. To do away the levity with which gentlemen were too apt to look at the treatment of this sovereign, he here read copious extracts from the reports of the negotiators sent to Lucknow by marquis Wellesley, and animadverted, with great severity, on the absurd assertion, that the nabob, despoiled of one-half of his territory and revenue, was now happier and richer than he was before. There was something mysterious, and concealed too, in the correspondence of the honourable gentleman behind him, (Mr. H. Wellesley) and his brother. The letters were marked 'private;' there were inclosures that were never seen, and it was not till sixty days after the changes had taken place, that a detail of them was made known to the government. He had also to remark on the conduct of the right honourable gentleman himself, who seemed to have imbibed a harshness in this affair, very incongenial with his usual meek and mild temper. It was not so strange that the noble marquis, elated with his successes, and governor-general of India, should treat an independent sovereign with haughtiness; but he could not be reconciled to the honourable gentleman, (Mr. H. Wellesley) expressing 'his utmost indignation and surprize' at the conduct of the nabob, for a circumstance which, in his view, was calculated to excite neither surprise nor indignation. It was pitiable to see the answer returned by the nabob to the letter containing this expression, so humiliating not only to himself, but to the king of Great Britain, the parliament, and country, whose names, he was sorry to say, had appeared too often in the threats productive of these submissions. The honourable member recapitulated shortly his preceding arguments, and apologized for the time he had occupied the house, but it was from detail alone that this business could be understood. The pretence for marching troops

troops into Oude was futile, for there was not the slightest danger to be apprehended from Zemaun Shah, although from the days of Nadir Shah it had been the general cry in Hindostan, whenever the weather fit for marching troops, set in, 'the Persian conqueror is coming.' In 1796 they had penetrated 200 miles into the country of the Seiks, but even then they were 300 miles from the frontier of Oude, and the Mahratta states lay between them. All circumstances continuing the same, would it be argued, that the governor-general was entitled to change a system which was approved of by those who appointed him? If he did so, it must be on a real, and not an imaginary necessity. The honourable gentleman who spoke last, had asked how we could have carried on the Mahratta war?---Would to God we had never had the power to carry it on, or any other so destructive to our interest in India. He contended that the nabob was independent, and as to the argument, that he was bound in gratitude to the company, it appeared to him the same kind of gratitude that was due from Prussia to Buonaparté, after he had taken all he had any use for, and left that sovereign dependent upon him for what he allowed him to retain. It was urged that the nabob was only independent from having wrested his dominions from the Moghul; he would ask whence came the independence of the East India company, who were nothing more than the keepers of his exchequer. But it was needless to argue on supposition, since he had it from the highest legal authority in this kingdom, that of the lord Chancellor, who had decided that the nabob of Arcot was an independent sovereign, at a time when he was not possessed of half so good a title to it as the nabob of Oude. It was still a more whimsical defence to adduce the evidence of marquis Cornwallis, who had said that such a system destroyed in India the opinion of the justice, moderation, and good faith of Great Britain. The opinion of lord Teignmouth was also pressed as unwarrantably into this defence; for the treaty, he concluded, in 1798, was an existing proof of the direct opposition he gave to the principle. An attempt had also been made from the 12th article of the treaty, to prove that the company had a right to march troops into Oude, and take security for any arrear of the kists; but this, he shewed, was a fallacy in the present instance, as no arrears had been contracted, and the only pretence was arrears due at the time the treaty was concluded. He had next to consider a little the general policy of this system. Why were they so anxious to improve the discipline of the troops belonging to the nabob? These troops were the same as all the troops in India, and such as enabled them to make their conquests, and the first thing they would have done would have been to repel the treatment they had met with. The honourable gentleman here digressed into a statement of the customs of the casts in India, their importance, and the general tendency of that kind of association. He then turned to the assertion that had been made with regard to the revenues of Oude in particular, and shewed from a long calculation, that this country, so desolated and disgraced, produced more revenue in proportion than Bengal, which was reckoned the most

most productive province in the possession of the company---Oude yielding 57*l.* 10*s.* per square acre, and Bengal only 40*l.*10*s.* The new system had introduced the monopoly of salt, but from the difference of situation between Oude and Bengal, it had been found so destructive and ruinous, that it was obliged almost immediately to be abandoned. The use of spirituous liquors, so strictly forbidden by the Mahomedan law, was also introduced and legalized in Oude. He would ask, if any advantage had been found to arise from this?---Having, hitherto, considered the question without any personal application to the noble marquis, he trusted the house would pardon his encroaching on them a few minutes longer, in making some remarks on it in that point of view. The council was designed to deliberate with the governor-general on any plans he might form; that by a previous discussion in detail, the nature of the intended measure might be ascertained; and not only that, but for the purpose of having on their journals a sufficient account of transactions to be transmitted for the information of the government at home. But if, as in the case of the noble marquis, the governor-general chose to pass by this part of the constitution of India, and keep his plans in his pocket, he would be relieved from the most important check upon his conduct. He got rid of forms which were thought necessary in the case of a cabinet minister at home, and were much more necessary at the distance of ten thousand miles, where they were the only means left for controlling the exorbitant power of the head of the establishment. The negotiation was not recorded till long after it was finished; so that neither the council nor the company, for several months, knew any thing of the matter. As for the thanks voted to the noble marquis, they proceeded from ignorance, for it was imagined that the governor-general was doing nothing more than securing the company's revenues in Oude. But his measures did not add either to their security or their revenues. The Rohillas were in the same state as ever, and in 1804-5 their revenue was less than it was in former years, because their charges, which always grew in proportion to their wealth, were greater. The revenue was one crore, 43 lacks; the charges 48 lacks, which, with 20, as the expense of a regiment of cavalry, and two of Sepoys, and left 76 lacks, the same time the nabob was bound to pay them, but he had always paid more, and in the preceding year paid 115 lacks, being nearly 40 more than was raised by the new system. In detailing the various measures which he thought beneficial to India, he gave his warmest praise to the permanent revenue mode, adopted by marquis Cornwallis, which would in time very much meliorate the condition of the natives. The system of jurisprudence he considered as too complicated to have any good effect. As for the melioration of Oude, the promise of it was forgot the moment they got possession of the territory; not a single attempt had been made to accomplish it in the slightest degree, and by this means the British name and troops were made the instruments of oppression, as they were employed in collecting the revenue and other unpopular acts, which were formerly done by the authority of the vizier. They had added

added to the evils of the Indian government, the evils of an European military system---a system which had been tried at Goruckpore, and had laid waste that district. Having thus taken notice of the principal objections against the noble marquis's government that occurred to him, he had only to add, that thinking his motives pure, he would not concur in pressing this charge any further than censure. An impeachment he considered as improper; and if in his power, he would rather correct the resolutions, carrying them no further than the opinion of Marquis Cornwallis, that the system was destructive to the character of justice, moderation, and good faith, hitherto maintained by the British in India. Whatever difference of opinion might exist between him and his friends on the past, he was sure they had only one mind as to the future. They had nothing to say against the eulogies bestowed on the noble marquis, for his conquests and victories, they only begged to have no more victories for the future. They wished it to be sincerely said, we abjure conquests, and will pursue victories no longer. The honourable member concluded, by noticing what had been said on a former night. Those, that had compared the court of directors to twenty-four printers, ought to recollect that they were the men who put a stop to this ruinous system, and sent out Marquis Cornwallis to put a termination to it.

Mr. S. R. Lushington (member for Rye) was perfectly aware of the difficulty under which he rose to address the house upon this important and extensive question. If local knowledge, obtained during a long residence and service in India, should lead him into much detail, he should incur the hazard of wearying the patience of the House; and if he altogether neglected that detail, he might sacrifice the real merits of the case. He should endeavour in deference to the feelings of the house, to be as concise as possible, at the same time not to abandon the substantial justice of the question. After all the declamation the house had heard, their judgment upon this question must be founded upon the treaty made with the nabob of Oude by Lord Teignmouth in 1798; but as that treaty confirmed all former treaties, not contrary thereto, it was necessary to review the principal stipulations of those treaties, and the practice of successive governors-general, as approved by lawful authorities in this country.—The honourable member then took a comprehensive view of the several treaties from 1765; shewing the inequality of stipulations and conditions in those instruments as respected the two contracting parties, and thence inferring the inferiority of the nabob. He then endeavoured to convince, by the conduct of Lord Cornwallis in 17 7, in ugmenting the British troops at the expense of the nabob, and on his Lordship's mere will, without any apparent or alleged necessity, that the superiority of the company was acknowledged and acted on. This interference he also shewed had been approved by the directors. He lastly proceeded to examine the treaty of Lord Teignmouth.—The treaty of Sir John Shore, now Lord Teignmouth, remained to be considered, and any gentleman who had read his lordship's minute upon this subject, could not entertain a doubt that lord Teignmouth knew the sovereign

reign power of Oude was vested in the company. His lordship had stated, that he acted upon this conviction when he deposed Vizier Ally from the musnud and placed Saadut Ally in that situation; and certainly this interposition was one of those extreme acts of sovereign power, which nothing but the undoubted possession of that power, and an irresistible necessity for using it, could justify.---Under this correct impression of his power, and of his duty as governor-general, Sir John Shore deposed Vizier Ally, and placed Saadut Ally on the musnud. The treaty formed on that occasion, bound the company to defend the dominions of Oude against all enemies; and to enable them to perform this engagement in a better manner, the former subsidy, of 56,77,638, was augmented to 76,00,000.—The first part of this treaty, which Mr. Lushington would particularly notice, was the last; because the noble lord who had brought forward these accusations, had put a construction on it which, in Mr. L.'s judgment was not its correct meaning. The words to which he alluded were these: 'The said nabob shall possess full authority over his household affairs, hereditary dominions, his troops and his subjects.' These words considered apart from the rest of the treaty, would release the nabob from all connection with the company. If the nabob were really to possess full authority over his hereditary dominions, what became of the second article of this treaty, in which his highness commits 'the defence of his dominions, against all his enemies,' to the company? If it were to possess full authority over his troops, as they then were in number, what force would then remain to the twelfth article of the treaty, in which the nabob engages to consult with the company's government, and in concert with them to devise the proper objects of reduction in his establishments? If he were to possess full authority over his subjects, he might employ them as diplomatic agents to any foreign power or state, in violation of the thirteenth clause of this treaty, where the 'nabob engages not to carry on such correspondence, without the knowledge and concurrence of the company.'—Mr. L. would not go more fully into the other clauses of the treaty, for he had said enough to convince the house that this treaty must be construed by that rule of law and reason which taught them, in the interpretation of all public covenants, to consider the whole of the stipulations connected together; not to regard only some general expressions that militate, under the construction put upon them, against the specific and most important articles of the covenant. For these obvious reasons, Mr. L. thought the house would agree with him, that the nabob was to possess full authority over his household affairs, hereditary dominions, troops and subjects, as far as might be consistent with the specific clauses of that treaty.—Of those clauses, the twelfth was that upon which Lord Wellesley was first called upon to take any particular measures. His lordship knew, from all the communications, and directions received from the court of directors, that the reduction of the large, useless, and expensive military establishment, within the Oude dominions, was one of their most earnest desires; and as the vizier was bound by treaty to concert with the company's

ny's government the proper objects of these reductions, Lord Wellesley required the vizier to carry this intention into effect. During a period of war and menaced invasion, when reduction was impracticable, the nabob had professed a desire that the reform might be made; but when a season of peace presented a fit occasion, far from co-operating in this reform, he opposed the deepest artifices and most obstinate delays, until the season of produce and collection having arrived, the difficulties of this reform were greatly aggravated To fulfil this indispensable measure, and, at the same time, to protect the dominions of Oude from foreign invasion, Lord Wellesley introduced an additional number of the company's troops into the province; and after a long struggle on the part of the the nabob vizier, and frequent mutinies amongst his troops, they were reduced from the number of 65,000 men, to about 45,000 men. After a deliberate examination of the treaty, and of the papers upon this subject, the conviction of Mr. Lushington's mind was this, that Lord Wellesley, in the reduction of the troops, did too little, and not too much. For the foundation of this impression he referred to the twelfth article of the treaty, to the explanation given of it by Lord Teignmouth and the nabob himself, from which it was clear, that the nabob's troops were to be reduced to 35,000 men at least, or still lower if necessary, to secure the payments under the treaty. Mr. Lushington here read to the house the article of the treaty, and the explanations of Lord Teignmouth and the vizier, to which he alluded,---*Lord Teignmouth's evidence*: 'I think there was a proposition made for the specific purpose of reducing the nabob's military. The nabob was afraid that a specific proposition of that kind might excite alarm; and on some discussion with the former minister, Tofassul Hassan Khan, I think that article (the twelfth) was substituted for the plain article, stipulating a reduction of the troops, and that it was perfectly understood the company should interfere for the purposes expressed in this article so far as might be necessary for securing the payment under the treaty.---*From the nabob vizier, 19th Feb.* 1800. 'Your lordship is in every respect desirous that the dignity, respectability, and outward state, of this government should be maintained. For this purpose it is necessary that a suitable body of troops be maintained after my own manner. Accordingly, in the first draft of the treaty, Sir John Shore, bart. proposed thirty-five thousand men, cavalry and infantry.'---Having thus established the right and duty of the governor-general to compel this reduction of the military, Mr. Lushington would not long detain the house upon the policy of that reduction. The noble lord, who had brought forward these charges, had himself affirmed, that 'the nabob's forces were composed of disorderly and irregular troops, unaccustomed to the rules of good discipline, and disaffected to his person.' This admission precludes the necessity of referring to the body of evidence, upon this subject, before the house, attesting that these troops were both useless and dangerous. It needed neither argument nor language, to impress upon the house the extent of this danger; for it was self-evident, that one of the most formidable perils to which any state can be exposed

exposed is, the disorder and disaffection of its military power. And here Mr. L. reminded the house of the experience which the British government had acquired of the services of similar troops, in their early wars against the French, in the Carnatic. He had the authority of that accurate and elegant historian, Orme, for declaring, that they were an obstruction, rather than an auxiliary, to that success, which, after an arduous struggle of fifteen years, finally crowned the British arms. The reduction was demanded, not less by policy than by treaty, and the vizier was bound, by the seventh clause, to pay the expense of the company's troops introduced into his country. But he failed to make good this payment; there occurred an arrear of twenty-two lacks, and lord Wellesley put into execution the following article of the treaty :---' If, contrary to the sincere intentions and exertions of the said nabob, the payment of the kists should fall into arrear, the said nabob Saadut Ally Khan, engages and promises, that he will then give such security to the company for the discharge of the existing arrears, and the future regular payment of the kists, as shall be deemed satisfactory.' The only security which could be deemed satisfactory in a case of this description was that which Lord Cornwallis had suggested, and the court of directors had repeatedly approved, a territorial cession. Lord Wellesley demanded this security; and after a long struggle by the vizier to avoid it, he at length ceded to the company a territory producing a gross revenue of 1,35,00,000, in payment of a net subsidy of 76.00,000. To persons who are not acquainted with the enormous civil and military expenditure, in collecting the revenues under a Mussulman government, this amount of cession, in gross revenue, might appear exorbitant. It happened however, that a statement upon the table of this house casts considerable light upon this question.—From the statement, compiled by Mr. G. Johnstone, and entered at the end of the minutes of evidence on the Oude charge, it appears that the gross revenues of Oude amounted to 2,21,70,000. From this gross revenue the vizier received into his treasury at Lucknow only 96,05,000. After discharging the company's subsidy of 76,00,000, there remained a balance from the whole of his dominions of 20,05,000: out of which he had to pay great part of his Oude civil establishment, a large portion of the Haggoory troops, repairs of forts, military stores, public buildings, besides contingent balances arising from calamities of season, or extraordinary disorders in the country. Mr. L. had no doubt, that these several items would completely absorb this balance, and leave the nabob without the means of defraying any additional force, even from the revenues of all his dominions.—By the cession of one half of his territories, in lieu of every possible claim on the part of the company, he retained the other half free from all incumbrance, and was therefore, pecuniarily, in a better situation than he was before he made this cession. In confirmation of this reasoning, Mr. Lushington called the attention of the house to the evidence of the vizier's own officer, Major Ouseley, who had declared, in the presence of parliament, that ' the nabob is now happy and contented, eased of a burden of a part of the country, continually

open

open to the Seiks and Mahrattas; his splendor, furniture, and houses, in a state infinitely more magnificent than they were before; for he has more opportunity of knowing what funds he can bestow on these things.' Mr. Lushington then proceeded to make some remarks upon the speech of an honourable member below him (Mr. Johnstone) who had asserted, that all the concurring evidence before the house, confirming the disorder and decay of the revenues of Oude, is not founded in truth; and that those revenues are in a state of greater prosperity than the revenues of Bengal, or even of the company's most fertile district of Benares. In illustration of this assertion, the honourable member had read a statement, carefully prepared, of the number of square miles in the province of Oude, of Bengal, and Benares, and comparing the revenues of these several districts with the number of miles, he discovered that, for every square mile in Bengal, that there is a revenue of 32*l.*: ditto. Benares, 40*l.* 10*s.*: ditto. Oude, 51*l.* 10*s.*: that it was therefore quite clear that Oude is in a more flourishing state than Bengal or Benares. Mr. Lushington was perfectly astonished at this statement. Did not the honourable member know, that cultivation and population were the sources of revenue, and not the number of barren square miles? Great part of Bengal was occupied by forests and jungles. It might with as much reason be contended, that America, having more square miles than Great Britain, ought to produce more revenue. If this be the sort of knowledge the honourable member possessed of India, Mr. Lushington was happy that his information of its revenue was of a very different nature. He would not, however, trespass upon the patience of the house, by enlarging more upon this calculation.—The same honourable member (Mr. Johnstone) who resided for some time in India, had also stated, that the fear of invasion from Zemaun Shah was an annual alarm; and that, after a particular season of the year, it passed away, and was heard no more of. It might be very well for that honourable member sitting in security in this house, to treat this danger with derision; but Mr. L. was not satisfied to form his judgment of this peril upon the present indifference of the honourable member's feelings. He chose rather to refer to the opinion of Sir James Craig, who commanded a frontier on that occasion: and who that is acquainted with the fortitude of that officer's mind, could believe him more likely to be influenced by a groundless apprehension than the honourable member, Mr. Johnstone? That gallant officer gave it as his opinion, at that dangerous moment, that an army of 20,000 men was necessary to repel what the honourable member was pleased to call an idle alarm: and, far from thinking Zemaun Shah was not likely to complete his expedition, he apprehended his army might reach the frontier before he was in condition to receive him; he feared that, by the celerity of his march, Zemaun Shah might anticipate our preparations.---Mr. Lushington here read Sir James Craig's letters upon this subject; and he begged particular attention of the house to the first sentence, because it was too descriptive of the present disgraceful condition of this country.---Extract of

of a letter from Sir James Craig, K. B. to the governor-general, marquis Wellesley, dated 13th Oct 1798. 'They are quarrelling among themselves at Delhi, without seeming much to think of the danger with which they are threatened. The Attack is but about 400 coss from Delhi; a space that may, with the utmost ease, be marched in six weeks, and that without adverting at all to the celerity with which the Shah's army in reported to move. If (and it is no very improbable supposition) despising the Seiks, whose behaviour in 1796, was no wise such as to give him cause to hold them in high estimation, the Shah should adopt a bold step, and, leaving a corps of troops to keep them in awe, he should move on with rapidity in the view of anticipating the Mahratta's at Delhi, he may be there in a time that I almost remble to think of.' Such, Sir, was Sir James Craig's opinion of the honourable member's annual alarm: and who that had ever read or heard of the murdering carnage which attended the former incursions into Hindostan, but must turn with horror from the recollection. Were the Afghans of the present day less ferocious, or less accustomed to the works of blood, than the Persians were at the periods alluded to? or, was the brother who succeeded Zemaun Shah likely to be more merciful than his predecessor? The passions of human nature were the same in all ages; and when the government over them was precisely of the same description, they would be demonstrated by similar actions under similar temptations. What, Sir, were the temptations which the state of Oude held out to Zemaun Shah at this period? 'The house had the authority of the nabob himself for saying, that the organization of the circar (state) which had, for a long period of time, been very loose and confused, was in the last degree ineffective and irregular:' that 'the approaching failure of the resources was to be ascribed to the precarious realisation of the revenues, and to the declining assets of the country:' and that 'for 24 years past, the administration of affairs in this country has been in a state of disorder.'---Did this state of Oude offer no temptation to the Afghans in their threatened expedition?---The honourable member (Mr. Johnstone) had given it as his opinion to this house, that the number of 40,000 Mahratta troops, commanded by a French officer (Perron,) and having nearly 300 officers under his command, might as well have been called an English as a French force. Mr. Lushington had never heard a more absurd proposition. Had that honourable member, then, yet to learn the disposition of a Frenchman's mind? Did he not know that, in every clime and country, he was bent upon the destruction of our power and interests; and that, such was the malignity of his hatred, he would bury even this happy land itself beneath that wave where he now flees from our cannon.---It had been asserted in a former night's debate (by an honourable director, Mr. Grant) that the foreign and internal policy of Lord Wellesley had been equally erroneous; that it had destroyed the confidence of surrounding states, alienated the affections of our native subjects, and placed our power in greater danger than at the time of

of Lord Wellesley's arrival in India. In replying to these extraordinary assertions, Mr L. wished to ask, at what period we had enjoyed the confidence of surrounding states? Did we ever possess the confidence of Tippoo, or his father Hyder Ally? Had the Mahrattas ever reposed in security, that we regarded only our commercial pursuits? Did Nizam ud Dowlah, at any period, feel disposed to trust to us? Was there any thing in the nature of our possession in India calculated to conciliate the confidence of surrounding states? Was not the whole derived from conquest; and was it not clear, that whenever our energy should relax, or the union of our power be disturbed, 'Nature, rising up, will claim her original rights, and destroy an unjust usurpation?'---As the best reply that Mr. Lushington could make to the unfounded statement of the honourable director, he would here briefly explain to the house what had been the policy of marquis Wellesley; he should speak on this subject with a confidence inspired by local knowledge of India, and a particular acquaintance with his lordship's principles and intention upon his arrival in that country, having held the situation of private secretary to the governor of Fort St. George at that period. No man in that house, whatever might be his humanity, could more anxiously deprecate the necessity of calling the army into the field, than Lord Wellesley did. The humane feelings of his mind would, at all times lead him to resort to this extremity with the most bitter anguish; but at this period it was particularly to be dreaded, in consequence of the embarrassed state of our finances. He had, however, no choice:--- his lordship saw, with a prophet's eye, the furies of war brooding upon the mountains of the Balagaut, pregnant with destruction to our power, and with misery to the unoffending people of the Carnatic. To guard against this calamity, there was a fancied balance of the powers of Tippoo Sultaun, of the Nizam, the Mahrattas, and the Company: but there was this remarkable circumstance in this balanced power, that we were always sure to have the most powerful member of it against us.---This balance of power was established by Lord Cornwallis; but there was established, at the same time, the inevitable causes of its destruction. In wresting from Tippoo, in the year 1792, one-half of his dominions, we secured the implacable hatred of that prince, and every effort of his power and malignity to combine for our destruction. In favouring the establishment of French officers in the soubah of the Deckhan, we cherished a hostile force, which usurped the government of the Nizam, and held the power of that state ready to combine with Tippoo in subverting every object of the triple alliance.---Such was the state of India at the time of Lord Wellesley's arrival. Tippoo was then meditating at what moment he should carry the calamities of war into the peaceful vales of the Carnatic; his hereditary malignity inflamed him almost beyond his own bearing, by the loss of half his dominions, conquered from him by Lord Cornwallis. There was a French force controlling the councils of the Deckhan; a corps officered by Frenchmen, in the service of Scindiah, was in

in possession of the person of the Mogul, the imperial city of Delhi, and the fortress of Agra; whilst Buonaparte, with a French army in possession of Egypt, had declared that India was his ultimate object. At this urgent moment the wise policy of lord Wellesley embraced the interests of his country in Europe as well as in Asia; and the vital principle which animated it was this,---that British India should assist us in resisting the overwhelming domination of France. Pursuing this principle with undaunted firmness, he subverted that French influence at Hydrabad, which we before had cherished; and he destroyed the power of Tippoo, whose hatred had been inflamed beyond the hope of change. He rescued the person and the city of the legitimate sovereign of Hindostan from the possession of France, and he drove back the Mahrattas to their proper boundaries, expelling all French influence from their councils and armies. Such have been the most prominent measures of the noble lord's external policy. In contemplating his internal policy, it would be found that his sagacity had not been less conspicuous, or his success less beneficial to his country. Lord Wellesley found the company under engagements to protect the native princes against all their enemies, with no security that the expenses necessary to defray this protection would, in case of emergency, be available to the company. The past history of our transactions in India demonstrated to him, that it was vain to rely on the mutinous rabble, the uncertain and unwilling resources of those princes in a period of war. Hence he availed himself of every occasion to commute the subsidy, payable by those princes, for territorial possession, in every practicable instance; and assuredly there was no other basis of strength, confidence, and peace, to Great Britain in India. Before Mr. L. concluded, he intreated the house to consider what had been the condition of British India at this exigent moment, when the union of France, Russia, and Persia threatened our empire with invasion, if the implacable hatred of Tippoo had still animated the power of Mysore---if the soubah of the Dekhan had still been under the controul of a French force---if French-Mahratta troops had still hung in defiance upon our unprotected frontier---if the dominions of Oude had still been filled with 65,000 disorderly, disaffected soldiers---and if we had still relied, for the support of our own army, upon the resources of a state in the last stage of weakness and decay---Mr. Lushington could not reflect upon the events which had removed these mighty dangers, without a mind filled with gratitude to the noble marquis: a gratitude founded on public affection alone; for the only favour he had ever sought from the noble lord was peremptorily refused: it was refused, however, from such public motives, that he could not but respect the principle of the denial. The house might, therefore, be assured, that the opinions which Mr. Lushington had taken the liberty of stating to them, were the unfeigned feelings of his mind, and that he should be at all times prepared to avow and to verify them. He trusted however, that the cloud which had too long obscured the great and splendid services of the noble lord, would now be dispelled; and that a day of justice and retribution would succeed a long

long night of darkness and ignorance.

Sir JAMES HALL observed, that the charge before the house was defective in one very important circumstance which seemed to have escaped observation. Lord Wellesley is charged with having greatly injured an individual; but this individual has never complained. Saadut Ali, the nabob of Oude, has sent no remonstrance to the British government, though that measure was suggested to him by a person who undertook to become his agent, and he rejected the proposal *in toto*. It may, indeed, be alleged, that this conduct was the result of fear, lord Wellesley being then in power; but soon afterwards the marquis came home, and the politics of India assuming a new face, the nabob could have been at no loss for friends to urge his suit and bring forward his remonstrance, had he really thought himself injured. But the truth is, if we may trust the evidence delivered at the bar of this house, that Saadut Ali had no inclination to complain, nor any cause of complaint. It is true, that the territory over which he seemed to reign was greatly curtailed; its extent being reduced, in fact, to one half, and that much against his inclination at the moment; but the circumstances of the transaction were such as to add greatly to his comfort; for being relieved from the burden of a heavy tribute, and from the expense of maintaining a great army, his net annual income was left as great, at least, as before, being to the amount of 1 200,000*l.* sterling yearly, free from all charges, and perfectly at his own disposal.--His political consequence may seem to have been impaired; but he had, in reality, nothing political to lose. So far, therefore, from having incurred blame by his conduct in Oude, lord Wellesley appeared to have a double claim to the thanks of his country, by achieving the most arduous public services, and by, at the same time, healing those wounds which great political changes and revolutions, however beneficial to the public, seldom fail to inflict on individuals.

Lord CASTLEREAGH thought the question now before the house of such importance, as to interest the feelings of every member. The chief object of the resolutions moved by a noble lord was to impeach a distinguished character not in that house. The noble marquis who was the object of these resolutions, had received great honours, both from his majesty, from his country, and from the court of directors, for the very same conduct which it was now wished to make the ground of parliamentary censure. The noble marquis was charged with crimes of no common magnitude, he was charged with tyranny, breach of treaty, and contributing to throw a stigma of reproach upon the British character. These were charges which he believed were entirely unfounded in truth, and incapable of proof. He considered the noble marquis had a right now to expect the decision of the house. The business had already been three years under discussion. He did not mean, however, to say that any unnecessary delay had taken place. The papers connected with the business were so voluminous, they required a considerable length of time to be got in readiness, and the house could not be called upon to the evidence, till they had had time to canvass and examine it. Gentlemen on the other side of the

house

house seemed to mistake the real situation of the prince of Oude. They considered him as completely independent of this country. But, this was not the fact. He was a protected prince, living under the protection of Great Britain. By the treaty concluded by Sir John Shore, Great Britain had a right to interfere with the internal concerns of Oude; and in all the proceedings of marquis Wellesley, there was nothing contrary to existing stipulations, which had been said, respecting increasing the subsidy paid to this country: but he found nothing in this particularly applicable to the noble marquis. Since the year 1773, to the year 1798, alterations had been made seven times in the amount of subsidy paid by the nabob of Oude. In the year 1773, he paid yearly the sum of 300,000*l*. and in the year 1798, he paid the increased yearly sum of 900,000*l*. But gentlemen would observe, that the expence incurred by the company in defence of the province, had also of late years greatly increased. He considered the defence of Oude, and of our East India possessions, as one and the same thing. When marquis Wellesley arrived in India, he wrote the court of directors the plan of the conduct he meant to follow. This letter lay upon their table; and if the court had disapproved of his intentions, it would have been but justice both to themselves and to the noble marquis, immediately to have sent him notice. The miseries which have existed in our East India settlements, he considered to have sprung in a great measure from pecuniary subsidies, of which he completely disapproved. Territorial subsidies he considered much less oppressive in their effect. The company had, at the present time 69,000 men for the defence of Bengal, and 40,000 in the Doab, or on the banks of the Ganges, for the defence of Oude. Objections had been stated to our introducing troops into Oude, as if contrary to treaty; however, the papers before the house shewed that it was not so. He maintained that the nabob of Oude was in a better situation now than before the late arrangements. His dominion was fixed, and the subsidy payable to the company was not liable to be increased by contingencies. He concluded by saying, he thought some of the resolutions moved for by the noble lord so much like to truth, and, some of so frivolous a nature, he should wish to get rid of them, not by a negative, but by moving the previous question. The last resolution, however, he considered extremely objectionable, and would give it his negative.

Mr. Robert Thornton said, he could not, in all points in this question, join speakers on either side. He would endeavour to express his private sentiments upon the question, in as few words as possible. When the noble marquis went to India, as governor-general, the yearly revenue amounted to 7,000,000*l*. when he left it, the revenue amounted to 15,000,000*l*. This was doubling the revenue certainly, but it was necessary also to look to the increase of debt during the time of his governorship. When he went to India, the debt owing by the company amounted to 10,000,000*l*. when he left it the debt amounted to 30,000,000*l*. This was, he must say, a vast increase of debt in a few years. As to cession of territory, in the form of subsidy, this he thought just fiable, or otherwise, according to the manner

manner in which the cession was made. But he thought cession of territory most unjustifiable, if contrary to the sacredness of treaty. The noble marquis could not, he was sorry to say, be complimented on his having followed the example of our most gracious sovereign, in imitating him in noble generosity and moderation towards weaker powers; and, however he might approve of the war with Tippoo, he could not but condemn the conduct of the noble marquis in violating the treaty of Oude. It had been asserted, that the vizier was frequently drunk, and was incapable of taking any proper management; but he would assert that the noble marquis also had been drunk with ambition, and ought to be checked, however much he might admire the extraordinary talents of the marquis on many occasions, in which he deserved commendation.

On a cry of question, Mr. Biddulph moved the adjournment of the debate till Friday. Several observations were then made by different members, and Mr. Whitbread remarked, that he was sorry to see the temper of the House so inimical to listening to his hon. friend who had just sat down, as he would have thrown great light on the transactions of India; but he was determined to oppose the adjournment. The Speaker then put the motion; on the division, there were 37 for, and 196 against the motion. On entering the house, we found Mr. Sheridan on his legs, stating, that he understood, that instead of the original debate, a very extraordinary motion of thanks was to be proposed by an hon. friend to the marquis Wellesley. The whole he had heard in defence of the noble marquis, did not appear to him to justify such a measure; and more particularly so at this period of the night, as it would occasion the whole grounds of the debate to be again gone over.

Lord Milton said, the house ought to be cautious how it gave its censure or thanks; it was to be remarked, that it was considered to be the policy of our government, and also that of the East India Company to look to commerce, and not to the acquisition of territory; on this ground he would give his vote.

Mr. Whitbread said, he was astonished at the conduct of the friends of lord Wellesley, who had rested their defence upon the policy of the noble marquis, and not upon the treaty. The injustice was too strong to forego examination. For what was the case? Lord Cornwallis had left our possesions in India in a flourishing state. The noble marquis had, by his conduct, destroyed what lord Cornwallis had effected, and had left the country in the greatest distress: so much so, that had some bullion not arrived at the same time with his lordship, when he went again to resume the command, there would have been no funds for the exigencies of the state, nor money to pay the troops He contended that we had violated the treaty of Oude, as by that treaty we had acknowledged the independence of that country, and could not, without injustice, seize upon the territory. He would go the full length of the resolution, and the motion upon it.

Earl Temple defended marquis Wellesley from the unfounded calumnies circulated against him. He compared his administration with that of marquis Cornwallis and lord Teignmouth, in order to show that they all interfered alike,

and

and considered Oude as dependent upon the company. He would not only vote against the Resolution, but for the motion of sir J. Anstruther.

Mr. MORRIS acknowledged that the treaty was violated, but asserted it was owing to the failure of the nabob to pay his kists; he would therefore vote against the Resolutions.

Lord FOLKESTONE denied that ever the nabob failed in his payment, and replied to the arguments on that side at considerable length.

The house then divided,

For the Resolution - - -	31
Against it - - - - - - - -	182
Majority - - - - -	—151

Sir JOHN ANSTRUTHER then moved, "That it appears to this house that the marquis Wellesley, in carrying into execution the late arrangements in Oude, was actuated by an ardent zeal for the public service, and by the desire of providing more effectually for the prosperity, the defence, and the safety of the British territories in India."

On this motion the house divided,

For the resolution - - -	180
Against it - - - - - - -	29
Majority - - - - - -	—151

Thursday, March 31.

NABOB OF OUDE.

Lord ARCHIBALD HAMILTON made his promised motion, for compensation to be made to the Nabob of Oude for the losses he had sustained by the seizure of one-half of his territories, and the very embarrassed state of his finances, occasioned by the measure of marquis Wellesley's government in India. The noble lord spoke at considerable length, but in so low a voice that it could not be heard distinctly from the gallery; but, as far as we could collect, it was to the following effect: He observed, that the papers laid before the house, and the recent debates upon the Oude question, relieved him from the necessity of trespassing again upon their patience by farther details; the house had, indeed, come to a resolution upon this subject—final, he would admit, as far as concerned the conduct of the marquis Wellesley. To this resolution, as it was the sense of a majority of that house, he was bound to defer, though he could not give his private assent to it. That resolution went to vindicate the conduct of the noble marquis, upon the ground that he was actuated by an ardent zeal for the public service, and for the interests of his country. But no man had ventured or could attempt to deny, that the Nabob of Oude had been treated with a degree of tyranny, oppression, cruelty, and injustice, almost without parallel, and which no conduct on his part deserved; and that he had been forcibly deprived of one half of his territory, without even the semblance of justice. In violation of all principle, he was forced to sign a treaty, in 1801, totally different from that in 1798, and was plundered of his property, in defiance of every principle of national justice. It was, therefore, but an act of common equity, that the British parliament should make some recompence to that prince. The directors of the East India company themselves having perused the documents respecting this affair, were so impressed with a sense of the sufferings and oppressions heaped upon this unfortunate prince, that they had come to a resolution, that compensation ought to be made to him; but the proposition was defeated by the board of control,

control, under the influence of the noble lord opposite (lord Castlereagh) who acted on that occasion in violation of the principles of justice, and the honour and character of the British government. When two authorities in the same branch of government, like the court of directors and the board of controul, were at variance upon a point so highly interesting to the character of the British government, he thought that house was the proper tribunal to decide the question.—The noble lord considered this transaction as paralleled only by the late outrage on Copenhagen. He read a variety of extracts from the Oude papers, comprehending the several treaties from 1793 to 1801; and also letters from lord Wellesley to the resident at Lucknow for the time being, and the answers of such resident; from these he argued at length, on the impolicy, injustice, cruelty, and oppression, practiced against the nabob, contrary to the faith of treaties which had been approved by the East India Company, and for which he thought the nabob entitled to compensation. The noble lord concluded by moving the following resolutions: "1. That it appears to this house that by the treaty concluded in 1798 by lord Teignmouth (then sir John Shore) between Saadut Ali, nabob of Oude, and the English East India Company, the annual subsidy of 56 lacks 77,638 rupees, then payable by the said nabob to the said East India Company, was increased to the annual sum of 76 lacks, to be paid by monthly kists or instalments: that the nabob, by the said treaty of 1798, agree to exert his utmost endeavours to discharge the stipulated kists with punctuality, but if, contrary to the sincere intentions of the said nabob, the payment of the kists should fall into arrears, the said nabob Saadut Ali engages and promises that he will then give such security to the company for the discharge of the existing arrears, and the future regular payment of the kists, as shall be deemed satisfactory; that by the said treaty it was also agreed, that all transactions between the two states, 'shall be carried on with the greatest cordiality and harmony on both sides,' and the said nabob 'shall possess full authority over his household affairs, hereditary dominions, his troops, and his subjects.' 2. That the court of directors of the said East India company did approve of the said treaty of 1798; and in May, 1799, declared it to be 'an arrangement redounding highly to the honour of lord Teignmouth, who negotiated it, likely to operate to the reciprocal advantage of the company and the nabob vizier:' and that 'the affairs of Oude were thus settled in a manner which bids fair to be permanent.' 3. That by a treaty concluded in 1801, by the marquis Wellesley, then governor general of India, the said Saadut Ali cedes to the East India company, in perpetual sovereignty, a portion of his territory, amounting in the gross yearly revenue (as is stated in the said treaty) to one crore and 35 lacks of rupees, in lieu of the stipulated subsidy, and agrees to admit the troops of the said company to be stationed in such parts of his remaining territory as shall appear to their government most expedient, and always to advise with, and act in conformity to, the counsel of the officers of the said company. 4. That the annual revenues of the said ceded provinces were estimated by Mr. Henry Wellesley (the

lieut.

lieut. governor) in the year immediately succeeding the said treaty of 1801, at upwards of 1 crore and 56 lacks of rupees; that a settlement thereof was made for the three years next ensuing, at the annual revenue of one crore and seventy-three lacks for the first, one crore and 80 lacks for the second, and one crore and 88 lacks for the third (independent of the profit derivable from a monopoly of salt estimated at eleven lacks); and that the said Mr. Henry Wellesley, lieut. governor, stated, that 'he had no doubt that the settlement of the land revenue for the second period of three years, would not be less than two crores of rupees, and that the land revenue of the provinces, when fully cultivated, would amount to two crores and fifty lacks of rupees,' which is nearly double the amount of subsidy payable by the nabob under the former treaty, of 1798. 5. That the said nabob Saadut Ali did positively and repeatedly reject and resist the said cession treaty of 1801, during a negociation protracted for many months; and that it was not till a declaration was made to him, in the most explicit terms, that in case of his refusal it was the resolution of the British government to assume the entire civil and military government of the province of Oude, that his assent was obtained. 6. That the British government in India are bound in honour, in justice, and policy, to reconsider and revise the above-mentioned treaty of 1801, in order to ascertain whether it will not admit of such modification as may ultimately prove more satisfactory to the nabob of Oude, and at the same time be productive of reciprocal advantage to his highness and the company.

Mr. R. Dundas said, that he was surprised that the house should now be called upon to discuss the same question which had been already decided on, by a resolution, in which the last resolution of the noble lord was not only negatived, but on which the house pronounced an opinion, approving of lord Wellesley's administration. He should, therefore, do little more than refer the noble lord to that decision, convinced, that were he now to go over again the arguments formerly adduced, he should be trespassing unnecessarily upon the time and patience of the house. Were the House of Commons now to agree to the noble lord's resolutions, they would contradict their own decision. The noble lord did not shew, in any part of his speech, how this inconsistency could be avoided. The noble lord had not stated to the house how he intended that the nabob should be indemnified. If he meant that the territory which had been taken from him should be restored, he would find it very difficult to transfer the people of India from the government of the East India company to that of their old masters. This could not be done, he was sure, without exciting much discontent, and, perhaps, not without considerable resistance on their part. If the noble lord meant that the compensation should be made in the form of subsidy, he ought to have stated the mode of doing it, and to have shewn himself prepared to solve all the difficulties which must present themselves to every one as to the manner of giving effect to his resolution. The noble lord had not gone into any detail to prove that the nabob had been called upon to contribute more than he was bound to do by the treaty

treaty of 1798; but, he was ready to contend, that the nabob had not been obliged to contribute more than under that treaty he would have been bound to do, when the number of troops employed upon his frontier was taken into consideration. Upon these grounds, therefore, he should feel it his duty to move the previous question upon all the resolutions but the last, which called for a revision of a treaty that had the sanction of the Commissioners for the Affairs of India, and this he was prepared to meet with a direct negative.

Mr. H. Martin took a view of the state of the parties in 1801, and of the circumstances which led to the treaty. He contended, that there was not the smallest ground at that time for the interference of the governor-general in the affairs of the nabob, who had religiously observed all the stipulations of the treaty concluded in 1798, by sir John Shore. He expected, at least, that some necessity for the violation of this treaty would have been attempted to be established; but no such attempt had been made, and it appeared to be infringed merely to give effect to a system of aggrandizement which lord Wellesley had adopted, and was determined at all events to pursue. The kists were not even in arrear, and the company had derived all the advantage from the treaty of 1798 that ever was expected from it. It was said, indeed, that by this treaty the nabob would have contributed as much as he did at present. But, in answer to this he stated, that the company were obliged to keep up a force of not less than 11, and not more than 13,000 troops for 75 lacks of rupees, to be paid by the nabob; and till the subsidy was refused to be paid, which it never was, we certainly had no right whatever to seize upon his territory. We were called upon to consult the feelings of the natives of India, but we ought also to consider what must have been their feelings on seeing a solemn treaty so unnecessarily and wantonly violated. And when it was stated, that the country was in such a state of disorder, that all sorts of crimes were committed with impunity, it ought also to be shewn, that the security of the British government in India was endangered by these disorders. He concluded by declaring his intention to support the resolutions of his noble friend.

Mr. R. Thornton lamented to see so thin an attendance upon a discussion so interesting to the national character. He thought the house on a former night had behaved worse even than lord Wellesley himself, in the manner in which they had got rid of the charges brought against him. He was not fond of renewed debates upon the same question, but he thought there were better grounds for renewing the debate on the present question, than on many others, though he did not flatter himself that the result would be different from what it had been. The treaty which was now under discussion, he declared, did not deserve that name, for to a treaty the assent of two parties was requisite, and the nabob certainly never had voluntarily given his assent to that of 1801. It was alleged, that it would be difficult to rescind the treaty, but nothing should ever be considered as difficult which was right, and if we had any regard to justice or national character, certainly some compensation ought to be granted to the nabob for the wrong he had sustained, however difficult it might be to find out the proper

proper mode of compensation. The treaty was said to have originated in friendship, but if it began in friendship it ended in cruelty and injustice. The noble marquis seemed to have carried a sample of French fraternization to India. The treaty was really a sort of Gallican hug, in which the noble marquis had squeezed the nabob to death. One might as well call a robbery committed by a footpad on a traveller on Hounslow-Heath, a treaty! If the tyrant who had desolated Europe should ever reach our East India possessions, and find the hearts of the people alienated from us, and our name connected with injustice and oppression, he called upon the house to reflect what an advantage he would have over us. When Trajan put a sword into the hands of the prefect of the Pretorian Bands, he made use of these words, 'as long as I govern well, use it in my support, if I govern ill, use it against me." So it was with the people of India; if we governed them with justice and moderation we may expect their support, but if we oppress and tyrannize over them we must expect revolt and resistance. The hon. gentleman denied that the treaty had ever been approved of by the court of directors, for it was one of their grounds of complaint, that the treaty had never been submitted to the court. All that he individually ever did was to put his name to a letter, in which pleasure was expressed that the treaty had given satisfaction; but at that time he was quite ignorant of the circumstances under which it was concluded.

Mr. Howorth.—Sir, I am not accustomed to address this house, or to speak in public, and therefore I should do it with great embarrassment at any time, but particularly now, when many gentlemen are calling for the question, and seem to wish to put an end to the debate. I shall, therefore, contract the little I intended to say on this occasion, and yield as soon and as much as I can, to the impatience of the house. Even that little is exposed to so many discouragements, that I should probably have confined myself to voting on the question, if my long residence in India had not furnished me with information, which I hope will be thought to deserve some attention.—I am not surprised that the hon. President of the Board of Control should have shewn a vigorous disinclination to any further discussion of the subject. I have no doubt that, if the whole of the transactions in Oude were to be buried in oblivion, it would afford peculiar satisfaction to the friends of the noble marquis. Sir, we must look to the exhausted state of the treasury in Calcutta for the secret spring and first movement of his lordship in Oude. Beggary begot necessity, and necessity created the measure of quartering a great part of the Bengal army on the country, or providing for it at the expense of the nabob. Want of money, and no other, was the true cause of this and every other injustice done to the nabob. All manner of pretences have been set up in defence of these measures, except the true one. Distress drove you into these courses, and who was the author of the distress? Who, but the noble marquis himself? Extravagance produces violence, and then you defend the violence by the extravagance. When political necessity was pleaded, I did expect that reasons of an over-ruling nature, some imminent danger, some instant cause of apprehension, admitting

mitting of no debate, would have been stated to palliate at least, if not to justify the atrocious cruelty, the injustice, and the indignities more galling than injustice, with which the nabob of Oude, as well as many other Indian princes, have been treated. Instead of such a case made out, or even alleged, what has the President of the Board of Controul advanced? Why, first he glanced at the supposition of an invasion of Oude by Zemaun Shah, and, in glancing at it only, I confess he has shewn his discretion. Why, sir, at the very period allotted to this pretended invasion, Zemaun Shah was in his grave. Lord Wellesley in his letter of Jan. 1, 1802, says to the directors, 'the danger of invasion from Candahar is entirely removed by the destruction of the power of Zemaun Shah, and by the actual state of his dominions; while our north-western frontier has been considerably strengthened by the recent arrangements effected in Oude.' The arrangements alluded to consisted of nothing but the exaction of money and territory from the nabob, contrary to the most solemn treaties, and in violalation not only of every principle of good faith but of common humanity; and for what purpose? To provide against a danger which was entirely removed, if ever it existed. But the hon. president says, 'the French were in Alexandria;' and this was another necessity for taxing the nabob of Oude. My conviction is, that, if they had remained in undisturbed possession of Alexandria to the present day, they could not have invaded India from that quarter, nor did they ever intend it. They had no fleet or transports in the Red Sea, nor had they the means or materials for building ships there, or to find provisions or even fresh water at Suez, equal to so great an embarkation, and so long a voyage, of which the navigation for a fleet from Suez to the Indian sea is perhaps the most difficult and dangerous in the world. And even then, unless the French could obtain a naval superiority in the Indian seas, how could they possibly get to India from Egypt? The hon. president seems averse to further discussion on the profest principle of lord Wellesley's conduct. Perhaps he will have no objection to answer a few questions upon the effect of it. What has been gained by these acts of injustice and oppression? Look at the result of all these frauds and cruelties, which are called policy; see into what a situation they have brought you at last. Have you extended your dominions? Yes, in violation of the resolutions of this house, confirmed and made law by two acts of parliament. You have a frontier, which you cannot defend, and you have alienated the affections of the native powers, who wait only for an opportunity to make you feel their hatred, and I am afraid that issue will be tried at no very distant period. In the mean time, what profit have you derived from this boasted increase of your dominions? Your establishments have grown much faster than even your territory; with all your immense acquisitions, with all your subsidiary treaties, with the Mysore, the Deccan, the Carnatic, and Oude, with four kingdoms added to your possessions, your annual expenses exceed your revenues by two millions and a half. Not a rupee in your treasury at Calcutta, at Fort St. George, or Bombay; in general circulation, nothing but paper,

paper, and thus, sir, have all those extortions, which are termed policy, ended in your own beggary. I state the general effect of the policy I allude to, as embracing all India. The treatment of the nabob of Oude is a sample of that policy, and a striking example of its effect.—But perhaps it may be said, that this commercial sovereign, the India company, though not very wise or fortunate in the exercise of their sovereignty, have been prudent and successful in their character of merchants? In an evil hour for themselves, they departed from the only occupation it was possible for them to understand. Look at their situation in Leaden hall Street. There you see them overwhelmed with debts, and in arrear to government even for the duties on their teas, the only article they can sell; loaded with enormous establishments, which it is impossible for them to defray otherwise than by running more and more into debt, and with a multitude of other demands upon them, active and growing every day, and against which they have nothing to set up but an accumulation of dead or dormant property, locked up and rotting in their warehouses for want of a sale; which does not however prevent their constantly taking up more and more ships at an intolerable expense of freight and charges, to bring home more cargoes of the same quality, and to take away all chance or even the possibility of selling what they have already in England. Add to all this, that every shilling of their capital is gone. And will this house never ask, by whose fraud or misconduct, by whose treachery or whose folly, all this mass of mischief has accumulated? Have we been taken by surprise? Have the India company till very lately been quite unaware of their situation? Has no warning voice been heard in this house? Have no powerful appeals been made to the public in writing on this subject? Yes, Sir, some of the worthy directors have now and then gently hinted at the mismanagement of their governments, and at the misconduct of their servants in India, over whom they had no control. But these intimations were rare and feeble, in comparison with the information given us by an hon. friend of mine (Sir Philip Francis) who is no longer a member of this house. From year to year, as the mischiefs increased, his speeches kept pace with them. From year to year, I might almost say from day to day, his talents and his industry were employed in exposing the fatal folly of that destructive system, which has been adopted by your government in India, and encouraged and protected in England, and the ruinous consequences which would result from it. His performance of this invidious duty was not confined to his speeches here. His writings, addressed to the public, predicted every thing that has happened; writings, sir, as remarkable for the clearness, the purity, and precision of their style, as they are for the comprehensive knowledge they contain of the subjects on which they treated; and I believe, Sir, it would be as difficult to find a person, who has displayed in your Indian affairs more ability, more perseverance, and more integrity, as it would be to find another instance of a man, who has deserved more of his country, and whose merits have been so ill rewarded, as those of the hon. gent. I allude to.—Now, Sir, on a full consideration of the

injustice

injustice which has marked the conduct of the noble lord in Oude, the harshnes with which the nabob has been treated, and the cruel circumstances of galling aggravation with which it has been accompanied, and above all, Sir, on the effect which it has produced in the minds of the native powers in India, I feel entirely disposed to agree with the noble lord who has brought forward this motion, for every reparation or restitution which the circumstance of the case will admit of.—The security of the British dominion in India depends greatly on opinion, and therefore I shall be ready to support this and every other measure, that may tend to retrieve the national character in the eyes of the natives.

The question was then loudly called for, and a division took place. For the first resolution 20; for the previous question 80; majority 60.—Strangers were not readmitted before the adjournment. The previous question was carried upon all the other resolutions but the last, which was negatived without a division.

Friday, March 11.

NOMINATION OF A SELECT COMMITEE.

EAST INDIA AFFAIRS.

Mr. DUNDAS, pursuant to notice, rose to move for the appointment of a select committee to inquire into the present state of the affairs of the East India company, and in doing this it would not be necessary for him to trespass much upon the time of the House. It would be recollected, that towards the close of the last session the House had come to a resolution that at an early period of the present session it would take into its consideration the various Indian accounts, which had been laid upon the table. It would also be recollected, that an expectation was entertained, that the affairs of the India company would be in such a state as to enable them to meet the commercial deficit in the present instance. The House would likewise recollect, that there was a considerable deficit in the territorial revenue in India, by which it fell short of the charges and expenditure to be defrayed out of the same. These several considerations would prove to the House the expediency of the measure he meant to propose. He had, however, to state, that the same causes which produced the deficit last year, would not operate to any considerable extent in the present year. It appeared to him, therefore, the most proper course to move for the appointment of a committee, to inquire into the causes of the deficit, and the circumstances which led to it, and also to investigate the nature and extent of that deficit, for the purpose of stating their opinion thereon to the House, and what measures they might recommend to prevent the recurrence of such a circumstance in future. He had hoped that, previous to this motion, he should have received the accounts which were to have been drawn up on the arrival of the noble lord (Minto) who had gone out as governor-general last year. But in this expectation he had been disappointed, no advices having been received, by which these accounts could be conveyed. There was reason, however, to expect the arrival of these advices at an early period; and, at all events, the accounts upon the table since last year, and other documents that would be produced, would enable the committee to inquire into the causes

causes and extent of the deficit, and to report upon the means of meeting tha tdeficit, and of reducing the India debt, as low as it may be possible to bring it. (*hear! hear!*) He was persuaded that the subjects could not be gone into, as much in detail as would be necessary for a thorough investigation of the question, in any other mode as in a committee. In the year 1805, a committee had been appointed to investigate the joint accounts of the company and public, and certain rules were then adopted for this purpose, but the matter had not been brought as satisfactorily to a close as could have been desired, or might have been effected by a committee inquiring generally into the affairs of the company. The act of 1793 established certain rules for the payment of the king's forces in India, but from the complicated nature of these rules, it had been found impossible to bring the account to any settlement, and certainly the regulations were such as to render an annual account scarcely practicable. He should hope, therefore, that the committee which he proposed to move for, in directing their attention to this amongst the other branches of the question, would devise some means of adjusting the mode of payment which would render an annual settlement of the account practicable. He had worded his motion in such a manner as to leave the committee at liberty to use their discretion in extending their investigation to every part of the subject, so that the public might have the satisfaction of contemplating in that report, a full statement of the affairs of the company. As he was not aware of any objection that could be made to his motion, he did not think it necessary to take up more of the time of the house and should therefore move, "That a select committee be appointed to inquire into the present state of the affairs of the East India company, and to report their observations thereon to the House."

On the question being put,

Mr. Creevey did not mean to give any opposition to the motion; on the contrary, it should have his most sanguine support, and he was happy, that at length the practice of holding out a flattering prospect in stating the affairs of the company had been departed from, a system, the whole of which had been founded in delusion. But he had not learned, from what had fallen from the right. hon. gentleman, that the present inquiry was to be similar to that which had taken place in the year 1782, and he was therefore desirous of being informed, whether it was the intention that the circumstances of the territorial revenue were to form any part of the inquiry.

Mr. Dundas wished to be distinctly understood, as meaning that every part of the territorial revenue and political relations of the East India company, was to be the subject of investigation by the committee. But he should hope, and he wished that too to be clearly understood, that the committee would not think it necessary or expedient to inquire how far the affairs of the company might have been heretofore well or ill administered.

The motion was then put and agreed to, and the following gentlemen appointed as the select committee, consisting of twenty-one Members:

Lord Viscount Castlereagh; Chancellor of the Exchequer; Mr. Grenville; Mr. Wilberforce; Mr. Wallace; Mr. Johnstone; Mr. Creevey; Mr.

Mr. Grant; Mr. Milnes; Mr. Pattison; Mr. N. Vansittart Mr. Tierney; Sir John Anstruther; Sir Robert Peele; Mr. Fitzhugh Mr. S. Bourne; Sir Arther Wellesley; Lord Morpeth; Mr. Hobhouse; Mr. Vanderhayden.

Tuesday, April 26.

Mr. Grant presented a petition from the East India company, stating the various expenses the company had been obliged to incur from the various wars that took place in India, and the losses they sustained in direct consequence of the stoppage of markets in Europe, and praying that the 1,200,000*l.* due to the company by government, might be paid them, and that a further sum might be advanced by way of loan, making in all 2,400,000*l.* The petition was received, and read by the clerk.

Mr. Grant then said, that as the affairs of the company were already under the consideration of a Committee of that House, which was then employed in investigating them, he would move that the petition be referred to the said Committee.

Mr. Taylor said, this was a subject on which it was fit that the House should make the most minute enquiry. For upwards of twenty years, the affairs of the India company were said to be in a most flourishing state; and where now was the result of all this mighty boasting? As this was a subject of great importance, being no less than a demand made upon that House for money, he thought it ought not to be referred to a committee, whose business only was to make an enquiry into the affairs of the company. That the petition should be submitted to a distinct committee, and notice should previously be given of the motion for so referring it. He would not now enter into any discussion on the question itself: but when an endeavour was made to seduce the House into a belief that relief ought to be granted to the East India company, no step should be taken on the subject in so thin a House. Not one-third of the House was yet acquainted with the business. By sending the petition immediately to that committee up stairs, the House would sanction the idea, that the prayer of it ought to be granted. For his own part, he never would suffer one shilling of the money of his constituents to be given to this company. He would now re-state what he had often asserted before, that the company was a monopoly which ought not to be permitted to exist any longer than until the expiration of their charter. This monopoly was a complete drawback on every advantage said to be enjoyed from our dominion in India. The Americans had already taken away half the trade to that country which ought to be open to all the subjects of great Britain. And he now thought it was a duty incumbent on his Majesty's ministers, to give notice within the time prescribed by the act of Parliament, that the charter of the company should not be renewed: and in the mean time he wished the attention of Parliament might be turned to the whole of the affairs of India.

Mr. Creevey thought the House was under obligations to his honourable friend, for the manner in which he brought this subject forward. Being a member of the

committee

committee for enquiring into the affairs of the India company, he had an opportunity of seeing documents which enabled him to form an opinion, that the company would never be able to pay the loan they were now calling on Parliament to grant. There was a deficit in the present year's account, of no less than three millions: and what reason was there to suppose that the company would not come next year and call for another loan? If the money they called for now was granted, it must be considered as a gift, and not as a loan. It therefore was necessary immediately to consider whether the monopoly ought to be renewed. The company was now carrying on a trade without any surplus revenue, by borrowing money at a high interest. Their trade was daily decreasing, and since the Americans had become their rivals in it, some means should be devised to stop this American trade, in order that it might be transferred to British subjects. With an annual loss in trade, the company were obliged to borrow money annually to pay the dividends to the holders of stock: Therefore, until the monopoly was entirely put an end to, there ought to be a limitation of stock, and a stop put to the payment of dividends unless the same could be paid out of the profits.

Sir John Newport considered the sum now demanded as nothing less than a gift; and as Ireland must be obliged to contribute a part of it, he would now lay his claim on behalf of Ireland, to a revision of the act, by which Ireland gave up her right to any part of the trade to India, in order that she might receive remuneration for her losses, in consequence of this monopoly. This was the opinion of all the commercial bodies in Ireland, who felt that if they contributed any thing towards relieving the India company, they ought to have a share in the trade.

Mr. Grant declared that he had no wish to take the House by surprise, or to pass any measure of importance in a thin House: but he conceived that many of the observations just made, had a tendency to prejudice the company in the eyes of the public, and therefore he would make a short reply to them. With respect to the trade of the Americans to India, the public laboured under a great mistake. The situation of Europe, was such as necessarily to check the extent of our Indian trade; and the neutral state of the Americans enabled them to derive advantages from that trade, which it was not in the power of the company to remedy or prevent. Whenever this case should come to be fully discussed before the House, sufficient evidence should be shown to remove every prejudice that might exist on the subject. None other could supply the continent of Europe with Indian produce, but the Americans; and it was not the fault of the company that they engrossed so great a share of the trade. With respect of the observations which fell from an honourable gentleman (Mr. Creevey) he did not know how far it was regular for a member of the committee to give an opinion from documents which in that character he had access to, and thus prejudice the judgment of the House, before any report was made. The company had the guarantee of Parliament to expect that their present rquest would be granted. He denied that it was to be considered in the light of

of a gift; and he hoped the House would be of opinion, that the petition ought to be referred to the committee up stairs, as the best qualified to consider the nature of it.

Mr. PONSONBY said, it was most clear, that the loan now asked for, if granted, could be considered in no other light than a gift. It was a loan to be levied on the community to enable the Indian company to fulfil their engagements; for if they were refused the aid, they most evidently could not pay their dividends. He would not now give any opinion on this subject, nor would he refuse his assent to its being referred to a committee. But whatever steps might hereafter be taken, they ought to be accompanied with such a diffusion of knowledge, as should do away all the delusions the public had hitherto laboured under on this subject, and which it was high time to put an end to. The House ought to know how far it could be justified, in voting to the company a sum of 2,400,000*l.* without knowing whether the company were going on as a solvent company or not.

The CHANCELLOR of the EXCHEQUER observed, that the House could give no opinion respecting this petition, until a report was regularly made upon it. He contended that there was no necessity for any previous notice to refer a petition to a Committee, because all that was required of the House to do, was merely that which must be done before any opinion could be formed, namely, to put the petition into a state of enquiry; and as a Committee was already sitting on the affairs of India, nothing could be done more conducive to the object in view than to refer the petition to that committee. The honourable gentleman opposite (Mr. Ponsonby) had said he was not prepared to give any opinion on the subject, and yet he had asserted that this money, if granted to the company, must be a gift, and not a loan. There were in the petition statements which went to show that the House ought, in the present case, to grant the relief required. The company stated themselves to be creditors of the public, and it was not denied by any one acquainted with these affairs, that hundreds or thousands were really due to them. If the company were to be distressed, the House ought to take care that no part of that distress was occasioned by withholding from them the payment of their just demands; whatever further was asked, might be a subject for future discussion With respect to the proposed limitation of stock, he would ask, if relief was to be afforded, whether it would not be a curious thing to impose on the company such conditions as would make it useless instead of a benefit? He thus had thought it necessary to remove the prejudices which the house was likely to receive from the observations of gentlemen: and as there was no difference of opinion, he trusted there would be no delay in carrying the motion into effect.

Mr. TAYLOR, in explanation, said, that what he had at first stated was, that there should be notice given of referring a petition upon a subject of such magnitude.

Mr. PONSONBY added, that the right honourable gentleman had misunderstood him, if he thought he had expressed his opinion upon the subject in question, of the propriety or impropriety of granting relief. He had only said, that the relief

relief asked for appeared to be a gift, and not a loan. If the East India company had credit, they might borrow, like other companies, instead of coming to Parliament. The company, however, with all the assistance they had received, had never paid more than 500,000*l.* to the public. He should be happy to hear they were able to pay their debts.

Mr. Tierney stated that the company had a right, by act of Parliament, to increase their capital to a sum equivalent to four millions; and last year Parliament authorised them to issue bonds to one half that amount. He considered this application as similar to that of last year. The company now had a right to demand a debt of 1,200,000*l.* from the public, and after that was satisfied, they were well entitled to claim a loan of an equal amount. He thought it was dealing hardly with the company to make statements merely on the presenting a petition before any documents were laid before the House, and he therefore considered the observations of his friends as premature. No one knew what calamities might fall on the country from this great body being involved in distress. A strong disposition existed out of doors to get rid of the charter of the company; and though many might think this a proper occasion to introduce that favourite subject, he thought it would be time enough to do so hereafter, and when that day came he knew the opinion he should give. No one, however, could say, that this act was a forfeiture of the company's charter; and after they had abstained so long from pressing their just claims on the public, it seemed rather a hard return to raise a clamour against them as persons suing Parliament for gifts. With respect to the speculations and promises of two noble lords, (Melville and Castlereagh) that the company would realize such magnificent schemes he had only to observe that it was the noble lords and not the company, that had made these promises; and therefore the company could not fairly be charged with a breach of faith. He could not consider this money as a gift, and if it could be shewn, that the state of the company required such assistance, he would join with those who thought it better to abolish the company altogether. This was a great commercial body, labouring under distress not brought upon them by vice or mismanagement, but by the state of the world, and they merely required that relief which government would give to any commercial men under similar difficulties, as had been done some years ago, with advantage to the public as well as the merchant. He concluded, by expressing his wish, that the affairs of the company might have a complete investigation.

Sir John Anstruther observed, that the East India company had not come, as some gentlemen imagined, to ask the House for any indulgence but such as had been granted to other mercantile companies, and on former occasions to themselves. In 1773-4, 1803 and 5, they had applied for and obtained similar relief, which they had invariably returned to the public, and he could not see why they should now be refused assistance, when they shewed the same grounds for it, and had kept their faith so well on former occasions. He denied in strong terms that there had been any attempt on the part

part of the company to delude the public, or to keep from them a fair state of their affairs, and deprecated the ingrafting on this subject the question of the policy of throwing open the East India trade. He trusted, that when this came to be discussed hereafter, it would not be canvassed in a mere commercial point of view, but that the whole political bearings of the case would be taken into consideration, both as relating to the welfare of that country, and in his opinion, to the very existence of this. He would not, however ready he was to enter upon this investigation, trouble the House further on this occasion, more than to express his doubts as to the practicability of the export trade to India being carried on by individual exertion, whatever facility opening the intercourse of private traders might afford to the importation of East India goods.

Mr. Howorth insisted, that there had of late been a total suppression of the East India company's affairs, and the last Budget had only brought them up to 1803-4, since which time not a document on the subject had been produced. Neither was there any documents in support of the petition, and he considered it as only fair and reasonable, that before Parliament granted any aid, a complete state of the company's returns, sales, profits, and assests, should be laid before it.

Mr. Dundas replied, that it was not usual to produce documents in the support of the allegations contained in a petition, but that the only reason none were offered in this case was, that they could not be prepared for the petition to be presented within the limits of the time prescribed by the House. As for the deficiency of the East India accounts, it was owing to no wish for concealment at home, but arose from their not having been received from India. However, they had been laid before the House as often as the law required. He then noticed an allusion made by Mr. Tierney, to two noble lords, and said, he did not suppose their names could have been mentioned without paying the tribute due to them for their anxiety to procure a full investigation of the affairs of the company.

After an explanation from Mr. Tierney,

The Speaker put the question, which was immediately agreed to by the House.

Thursday, June 2.

[Affairs of the East India Company.] Mr. Crevey rose, agreeably to notice, to move for certain papers to elucidate the real state of the affairs of the East India company. He said, he should shortly state his reasons for making the motions with which it was his intention to conclude. Last year a petition had been presented for leave to borrow two millions on bonds, and about a fortnight ago a petition was presented asking a loan of the public money to the extent of 1,200,000*l*. It was with the statement contained in that petition, of the ability of the company to pay this loan, that he now rose to find fault. It contained a manifest deception; whether meant by the company or not, it was not his intention to say. The house and the public, however, were entitled to be set right on this head. The petition stated, that there was a deficiency for the year of 2,400,000*l*; although, in fact, as appeared from a paper laid on the table of the house, the real deficiency was

3,000,000*l*.

3,000,000*l.* As an inducement to the country to grant this loan of 1,200,000*l.*, the petition stated that the company would have a surplus, after paying all their debts, to the amount of 8,000,000*l.* Supposing this to be correct, it was only the home account which was alluded to, whereas the foreign also should have been taken into consideration; when, in fact, instead of a surplus, there would have been a deficit of 12,000,000*l.* When he said this, he said it as a member of the committee, and he spoke from a document laid before the committee. It was for the company to explain why, in these circumstances, and with such a deficiency, they laid before that house a statement which went to show a surplus of eight millions. The petition stated, that the Indian debt must fall upon the Indian territory. How far this was a doctrine which would be relished by the creditors of the company abroad, to the amount of 32 millions, it was not for him to say. He should move in two ways: 1st, for the document which the company had laid before the committee; and, 2dly, for the satisfaction of the Indian creditor and of the public, he should move for an account of the amount of all loans made by the company in India, and of the terms and conditions on which the same were made.—The petition also alleged the state of Europe, as one of the leading causes of the embarrassment in their affairs. To prove the fallacy of this, he should also move for a document to shew the nature of the Indian trade on the continent, from which it would be seen, that the Indian trade was becoming worse and worse year after year, long before any change in our relations on the continent had taken place. The hon. gent. knew there was no probability of the committee making any report on this business, at the present advanced period of the session; and the company, by their own statement, had forced him to bring forward the present motions. If he should be told, that he was a member of the committee, that he should go to them and make them parties to the motion, his reason for not doing so was this; he made his charge against the directors. Was he to go to the committee and to appeal to them; or to the two directors who were members of the committee, and whose votes he must expect on such a subject to be against him? He said, that the formation of that committee was radically bad. The question was, were the company bankrupts? And these two directors were the persons who were to say so or not, and to advise the country whether or not it should make a loan to their own company! Without imputing any thing to these hon. gentlemen, he must be allowed to say, that they were not the persons who should have been appointed members of such a committee. He said, moreover, that the hon. gent. opposite (Mr. Dundas) should not have been a member of the committee. His father had been the author of the system. He had committed himself year after year, as to prognostics and prophecies of its stability and greatness; and his son should not have been put on a committee which was to decide on the life or death of a company, to the death of which he could not naturally be expected to be a willing witness. He said the same of the person (lord Castlereagh) who succeeded the noble lord alluded to; and there were others on the committee, whom, without being under-

understood as saying any thing invidious against them, he could not forbear also referring to, as receiving pensions out of the East India company's funds. Could any principle, he asked, be more absurd, than that they should be persons fixed on as a committee on such a subject? He said, it was a great defect, that the honorable gentleman (Mr. Dundas) should have 7000*l.*, another person near him not quite so much, and that a third, who had been a judge in India, should have a pension from the Indian revenue and yet be members of a committee to whom such matters were referred. Without imputing any personal motives to any of these gentlemen, he must think them unfit to judge on such a business; and so he thought it better to apply to parliament. He concluded by moving, that there be laid before the house an Account of the East India stock by computation, on the 1st of March, 1808.

Mr. Dundas assured the House, that in suggesting this committee he had no other object in view but that of appointing those who, from their knowledge and experience, were versed in the subject referred to their consideration. He had no sinister motive, and was surprised, that if the honourable gentlemen had such strong objections to the persons appointed, he had not objected to them on their first nomination. Of this he was sure that no committee on India affairs could make any progress, unless they contained in their number persons from the court of directors. The honourable gentleman had, in his mind, pursued a strange course—no information had ever been refused to him by the directors, who were anxious to give the fullest possible, and for that purpose had thrown open the doors of the India House for investigation. He knew the papers moved for would be laid before the House in a few days, and yet he chose to take the business out of the hands of the committee appointed by the House, and press on what would of itself follow as a matter of course. He did not stand up for the company, but thought that the House should not grant a shilling till they were perfectly satisfied with the grounds on which they acted. Having said this much, he thought he had shewn that the motion was premature, if not altogether unnecessary; and he left it to the good sense of the House to judge of this, as well as of the insinuations thrown out by the honourable gentleman, that the committee were not to be trusted in the report they would give. He concluded by moving the previous question.

The Speaker put the question.

Dr. Lawrence said that his hon. friend (Mr. Creevey) had made no objection to the committee, as far as regarded the purposes for which they were constituted, but only as improper judges of the petition now referred to them, which was a satisfactory answer to their not being objected to at their original formation. It was necessary to have a complete view of the case, that the House might be well advised in their grant of public money; and for this purpose the papers moved for were absolutely necessary. These papers might not perhaps be before them for a year to come, and they were not even sure that they would have them at all with the report of the committee. What at any rate could be the evil of having them a little sooner, that they might be the better prepared to meet

meet the question? He thought, therefore, this demand so reasonable, that it could not be opposed, except from pique, and an unwillingness in ministers to allow any one to call for information but themselves. There was one topic which he could not sit down without noticing, which was, that it was impossible ever to object to any individual or body on legal grounds, without being subjected to the charge of personality. He maintained, that from the king to the peasant, he had a right to object to particular exercises of their functions, as he now did to this committee, not on personal grounds, but on general principles, that no party concerned was a fit judge. They had a direct interest, and were therefore objectionable. He would support the motion, which, whether successful or not, would, he believed, be the means of procuring these papers to be laid before them.

Mr. Dundas asked, if the committee were not appointed to examine into the affairs of India?

Dr. Lawrence answered, yes---but not into the merits of this petition.

Sir John Anstruther said, he would not presume to say whether he was or was not a fit person to be appointed to the committee of which the House had thought it proper he should be a member, but he begged to set the hon. mover right in one point which he had mistated. He could not be affected by the solvency or insolvency of the company, as his salary was granted and paid not from the company's funds, but from the public revenues of India. Whether he was deserving of his Majesty's favour was another question, to be determined by those who were acquainted with the nature of his services in India. The learned gentleman who spoke last (Dr. Lawrence) had, by a curious argument, given the committee credit for being competent to judge of the whole affairs of the East India Company, their general solvency, their debts and credits, and yet, for the purpose of supporting this argument, he had denied their eligibility to judge whether the security offered for 1,200,000l. was good or bad. This was a subtlety he could not follow.—He did not think it was a regular mode for gentlemen, after a matter had been referred to a committee, to abstract it piece-meal, and bring it before the House; and the curious reason assigned for this, in the present case, was, that the committee could not be informed on the subject, which he expected to be, from the mutilated and garbled extracts now moved for. In the committee, he (Mr. C.) had not asked for a single paper but what had been granted to him, and the only instance in which there had been any dispute, his motion was carried, from the support given him by Mr. Dundas, the directors, and himself (Sir J. A.) It was strange, therefore, that he should come down to the House for the purpose of prejudicing the public against the committee, which could be the only purpose of this motion, as he knew well the papers must, from Act of Parliament, be laid before the House without it. But it was not for the papers it was made, but to injure the committee, in which he had turned and worked without opposition.

Lord Folkestone supported the motion, and contended, that as the petition entered into argument, the papers to determine it ought to be produced.

produced.---He never heard of the claims of the company till their finances were dilapidated.

Mr. Wm. Smith defended Mr. Creevey from the charge of personality, and contended that with every personal qualification persons were often improper to judge of certain matters, from the particular bias or warp of their mind, which perhaps they were not sensible of. This was a fundamental principle of our law, else why the challenge of Juries; why the ballot for forty-nine instead of thirty-six in our election committee---all shadow of partiality ought to be done away, and for this reason, the most upright and virtuous man on earth might, with propriety, be objected to as the judge of a particular circumstance.

Mr. Wallace denied that Mr. Creevey's objection was of a legal motive. It was a susbtantial objection to the committee, as to persons liable to be unjust to the public, from motives of self interest. He appealed to the House, if this was not a general reflection on the committee.

Mr. Grant replied to the statements of Mr. Creevey, and denied that the deficit was three millions, as was asserted by him. The hon. gentleman was so ignorant of the East India affairs, that he would not even have known what papers to call for, had he not seen them openly produced by the company before that committee, of which he was a member. The production of these papers by the company, was a convincing proof of their readiness to furnish every information on the state of their affairs that might be required.—He objected, however, to the production of the papers now moved for, because they were already before the committee on East India affairs, and would of course soon be before the House. It was his anxious wish that every thing relating to the East India Company's affairs, should be probed to the very bottom; and then he was confident the prejudices that had gone abroad on the subject, would be done away.

Mr. Patteson observed, that as he had no hope of gaining any thing from the East India company, he must be considered as more competent than many others to give an opinion on their affairs. He would then say, that there appeared to him to be a disposition on the part of the company to give every possible information on the state of their finances, and he hoped the same disposition would be continued. He had seen in a *Morning Paper* of yesterday, a long article on the subject of India affairs, in which would be found the greatest part of the speech made this evening by the honourable gentleman who brought forward the present motion *(a loud laugh.)*

Mr. Creevey in reply, observed, that what might have appeared in any newspaper had nothing to do with the present question. He had seen in *Cobbet's Register* a speech purporting to be delivered in that House, by the Hon. Director (Mr. Grant) and published in that sort of form, that it was not very likely to have found its way into a paper unless it had been sent by the hon. director himself. But this hon director, this oracle of the East India House, thought proper to lament over his (Mr. Creevey's) ignorance of East India affairs. He hoped the hon. director would not do so on any future occasion, after having now shown how defective he himself was, in point of information, relative

tive to the deficit of the company. He would maintain, that taking the home and foreign accounts of the company, the deficit on both amounted to 12,000,000*l.* and it was the grossest delusion to hold out to the public, any prospect of this money being ever repaid;--- all he wanted now was, to give the public that information which the company gave him in the committee, of which he was a member, because there was no prospect of these documents being speedily brought before the House in a regular shape. It was important for the public to know, that the trade of the company was declining. It appeared even by the account of the directors themselves, that on the trade which they carried on to the exclusion of all other British subjects, there was an actual loss of 264,000*l.* during the last year. The account of this fact, therefore, was a most important document, which the public ought to be in possession of, and ought to be produced before the House.

Mr. Dundas assured the hon. gentleman, that this, and other accounts, should be produced as soon as possible.

Mr. Grant, in explanation, said, the East India company had stated the amount of all their debts to be 8,000,000*l.* and their tangible property 20,000,000*l.* He had not said, as was stated by the hon. gentleman, that there was a loss, but a deficit of 2,400,000*l.* With respect to the observation that British subjects were excluded from this trade, he must say, that if it was thrown open, it would be impossible in the present state of Europe to carry it on with advantage to the country.

Mr. Creevey said, that in consequence of the assurances that these documents would, as soon as convenient, be laid before the House, he should withdraw his motions, and they were withdrawn accordingly.

Thursday, June 2.

AFFAIRS OF THE EAST INDIA COMPANY.

Mr. Creevey rose, pursuant to notice, to move for a document which was before the committee appointed to consider the state of the India company, of which he was a member. It was a paper laid before the committee by the India company, which disclosed the distressed state of their affairs at home and abroad. They stated that they should have occasion to apply again to Parliament for aid; that there was a deficit of twelve millions in their accounts, and that their finances required a complete and effectual regulation. What he now wished for was, that before they advanced one farthing of the public money for the use of the company, they should be in possession of this document. If this paper had not been laid before the committee, they would have been acting under a complete delusion; it was, then, as necessary for the House to have it when they should be called on to vote a large sum of money. The production of the paper could produce no disclosure to the enemy, that could make the slightest inconvenience. There were in it some circumstances relating to expeditions in India; all the rest were matters of account. It was generally understood, that the distresses of the India company were owing to the conduct of the Board of Control, and to the delusive budgets on the affairs of India, that had been so often made in

in that House. The document in question would serve to do away this delusion, and it was fit that the House, which would shortly be called on to advance money belonging to the public to the India company, should know what security the public was to have for the money so advanced, and what prospect there was of its being repaid. He concluded with moving, that there be laid before the House a copy of the exposé of the affairs of the East India company at home and abroad, signed by the secretary of the company, and laid before the committee on East India affairs.

Mr. DUNDAS rose and remarked, that it was something worthy of attention, that the honourable member was the single exception against the question in the committee, whether the paper now moved for should, or should not, be produced on the first report. The hon. gentleman had stated, that this document embraced the whole extent of the East India company's affairs. He admitted that it did, but had likewise stated, that in that paper there were some expressions which might be improper to bring before the public. Whether that was, or was not, the case, he did not know, but he thought it was a paper which ought not to be laid before the public as a matter of course, as the production of papers relative to such questions seemed generally to be considered by the House. He contended that the documents moved for did not contain any more information than was already given in the report upon the table; and, in fact, that it gave more information than the *exposé* did. The objects comprised in the report were, the statement of the balance of debt, supposed to be due from the public to the East India company. It contained all the details, the reasons, and the cause of that balance, and such information upon the amount which the *exposé* did not afford. Another topic which the honourable gentleman alluded to, as matter of complaint, was, that the cause of the default was not stated in the report. Now, in point of fact, the report alluded not only to the amount, but also to the cause of the deficit, and in reality they were more fully detailed therein than in the document called for. The third point in the *exposé*, and the only one adverted to by the honourable gentleman, related to the state of the finances of the East India company, and on which he complained that the committee had not reported. Now, the honourable gentleman must have known, very well, that it was utterly impossible for the committee to make their report thereon, from their not having had sufficient time to take it into consideration. Another subject of complaint was, the lateness of the India budget, not only in the present year, but in the last. The honourable gentleman must likewise be well aware, that the cause of that lateness was in consequence of the accounts from India not being arrived; but the honourable gent. seemed to have forgotten, that the accounts for last year were now actually on the table of the House, and as soon as printed, were open for the inspection of members. He defended the East India directors from every imputation that they wished to withhold any information upon the subject of their affairs; and he declared their readiness to do their duty in every respect, by producing every necessary document. The honourable gentleman

tleman had imputed to them sundry reasons why they should be anxious to keep back a statement of their expenditures and debts; amongst others, that as partisans and friends of marquis Wellesley, they would wish to withhold every information connected with that noble lord's conduct. He conceived that the question now before the House, was not whether the noble marquis had any interference in the increase of the East India debt, but simply whether the information as to the amount of the company's debts, which was laid before the Parliament, was more complete than the *exposé* laid before the select committee afforded; and, therefore, as that noble lord's conduct was not under consideration, there could be no inducement on that ground to debar the House from information upon the subject of the East India affairs. He complained of the harsh term of delusion, as applied by the honourable gentleman to the India company generally, and particularly to the budgets of Lord Melville. He was persuaded the honourable gentleman would be called upon to show that this was not a mere captious expression, and he hoped, that when a proper time arrived, he would be prepared to establish that proposition upon better grounds than he at present did; and he trusted, that when he entered the lists, there would not be any relation of Lord Melville's in that House, who would evince himself backward to enter into the contest with the honourable gentleman. He concluded by repeating, that he thought this document was wholly superfluous and unnecessary, because the report upon the table furnished every information upon the subject of the East India company's affairs, that the House could require at the present time.

Lord ARCHIBALD HAMILTON said, that although the right hon. gentleman had given many reasons why this paper was superfluous and unnecessary, he had not given any guarantee to the House, that in the intermediate time before the document was produced, no step whatever would be submitted for the purpose of voting the India company the amount of their deficient expenses. It was his opinion that this document was highly necessary before the money should be voted; and unless he had some guarantee that no motion would be submitted to the House upon this subject, and unless he had some ground to believe that the right honourable gentleman did not oppose the production of the document to the public, he should vote for the paper moved for by his honourable friend.

Mr. DUNDAS, in explanation, said, he did not wish to conceal from the House his intention to submit a motion upon the report before the House, and he now gave notice of his intention to-morrow se'nnight, in a committee of supply, to propose a resolution upon the subject of the balance of accounts between the public and the East India company.

Mr. WILBERFORCE contended, that it was impossible for the House, to be put in possession of documents which had not been fully considered by the select committee, lest speculations injurious to the company might be formed upon the contents of it by the House and the public, before the committee

committee would be able to make their report.

Mr. WINDHAM was of the same opinion with the noble lord who spoke last but one, that it was contrary to the usages of the House to proceed separately with one decision of the committee, coupled with another proceeding of the House. He thought it necessary, however, to guarantee the House that no motion respecting the grant to the company would be made until the paper was laid upon the table.

The CHANCELLOR of the EXCHEQUER thought it unnecessary to say what was to be done, in consequence of the report of the committee, as it would be time enough to object to the proceeding when the motion was submitted to the House, if it was thought an improper one. He conceived therefore, that the motion of the honourable gentleman was rather premature, and in fact unnecessary. The report upon the table was to show that we were indebted to the India company in a certain sum; and surely, if the debt was admitted to be a just one, we were bound, as honest debtors, to pay our creditors.

Mr. WINDHAM explained.

Lord FOLKESTONE supported the motion.

Sir JOHN ANSTRUTHER went into the history of the committee, and considered this motion as intended to withdraw from the committee a paper they had not yet come to a determination upon, and for the purpose of influencing a debate to which it did not belong. A more preposterous proceeding he could not conceive; and if the House went into it, every paper laid before the committee, might be moved for on the same ground, and the functions of the committee put an end to. When they received the report, it would surely be time enough to see if they had not accompanied it with the proper papers. The committee had resolved it would be necessary to have the paper printed and produced.

Mr. TIERNEY went into the committee with the full intention to give publicity to every thing relative to India, and had gone religiously through in this resolution. That not more information was thrown upon the home affairs was entirely owing to the honourable gentleman himself, (Mr. Creevey) He had the doors of the India house open to him, and was empowered to examine every clerk and commissioner in it. He could not bear, after this, to hear the directors and the company charged, in a public manner, with having packed a committee to conceal their affairs. He had never heard, till within this five minutes, that this paper had been refused; although if he had, however, been on the committee, he would have joined the majority, for he never could conceive that this, which was a disquisition on the affairs of India, at home and abroad, made up by the directors, for certain purposes of their own, could be thought a necessary appendage to a report, confined entirely to home affairs. He could therefore never concur in a motion, so irregular as this; though if any demand was made for a money vote to the country, he would have no hesitation in saying, produce it at once, notwithstanding the premature speculations and opinions that will be made upon it.---Certainly the investigation of these papers was a most painful duty to those who had the welfare of their country

country at heart; but he mus again repeat, that every facility wa given by the company, and if any information was wanting, it was entirely owing to the honourable mover himself.

Mr. PONSONBY expressed his opinion that every shilling the country owed the company should be paid, and after that the whole affairs of the company should be laid before the public, before they granted a loan of a single guinea. He advised the withdrawing of the motion.

Mr. CREEVEY said he never meant to throw any imputation upon the committee, all that he said was, that they were not properly selected for the purpose of investigating India affairs. He was charged with not having used the opportunity offered him of examining the India accounts, but it never was his intention to ransack the papers of those he looked upon as bankrupts. He would still use his discretion in this point, and do nothing more than attend the committee for the purpose of watching its motions. These were his opinions, and he would never be deterred from standing up in his place to state them. His motives for moving for this paper at the present time, was, that if he deferred it as long as other gentlemen seemed to wish, it would be too late. He wished it to meet this report, and to have it before the House in time to discuss the loan to the company with all possible information. When this was pressed by a noble lord behind him (A. Hamilton) upon the honourable gentleman opposite, (Mr. Dundas) he had evaded the question, and only given notice of a motion respecting the payment of the debt. Though the sessions was so far advanced that he despaired of time, he would withdraw his motion, for the purpose of bringing it forward again at another opportunity.

Mr. R. THORNTON animadverted on the strong language employed by the last speaker. His calling the India company bankrupts was very reprehensible, and not warranted by any of the papers before him. His candour in other matters was however of a piece with this, when he said the respectable and upright committee were unfit for their situation, and called upon the House to insult itself by mistrusting the committee of its own appointment. This kind of language might have some impression, had it not gone so far as to defeat its own purpose, and he was sure, when an example of so little candour was shown, it would be a warning to the House, when the honourable gentleman came to speak upon the report, not to pay a very implicit regard to his word.

The question was then withdrawn.

Monday, June 13.

AFFAIRS OF THE EAST INDIA COMPANY.

Mr. R. DUNDAS moved, that the house do go into a Committee of Supply; to whom should be referred the petition of the East India company, and the report of the committee appointed to inquire into the affairs of the said company Upon the motion being put from the chair,

Lord FOLKESTONE rose, and objected to the Speaker leaving the chair, as he thought the report alluded to was perfectly unsatisfactory, and contained so little information, that it would be quite improper for the house to go into its consideration. On a former occasion

occasion an objection had been stated as to the manner in which that committee had been formed, and he still looked upon that objection as being justified by the report now upon the table. There were, in his opinion, various facts, of which the house ought to be in possession, before they proceeded to vote any great sum of money to the East India company.

Mr. R. DUNDAS observed, that the objections of the noble lord would be better reserved for the committee.

Mr. CREEVEY was of the same opinion as the noble lord; but would not object to the house going into the committee.

The house having gone into a Committee of Supply,

Mr. R. DUNDAS then stated, that it would be unnecessary for him to say much, as the report contained most of the facts that were necessary to be detailed.--- Some misunderstanding had arisen between the accountants of the company and the public, which were referred to the committee appointed upon East India affairs, who had thought it necessary to adhere to the principles laid down by the former committee. The first article charged by the company was the expense of prisoners of war conveyed by his majesty's ships to India, immediately upon capture, which necessarily became chargeable upon the public; and the next was the expense of remitting to India such sums of money as had been paid by the company to the public in liquidation of the balance owing to them. A question had been stated, as to whether the public should be bound to pay in India the money so borrowed, or to the company in this country, and disputes had arisen as to the rate of interest to be allowed. It had been, however, settled, by the report, that not only the expense of the remittance of bullion to India, but the usual interest of that place, where it was originally borrowed, should be paid. Upon these grounds he did not feel himself justified in calling upon parliament to make any advance to the company farther than that which had been formerly stated to be actually ascertained to be due. He concluded with moving, "That a sum not exceeding 1,500,000*l.* be granted to his majesty, to enable him to pay the same to the East India company, on account of expenses incurred by them in the public service."

Lord FOLKESTONE repeated the objections he had urged before the house had gone into a committee, and then moved as an amendment, that instead of 1,500,000*l.* the sum of five pounds be inserted.

Mr. CREEVEY said, that he was rather disposed to agree to the resolution, with the exception of one item, amounting to 160,000*l.* which he could not consent to vote.

Mr. TIERNEY supported the resolution. Although the committee were not vested with the authority of arbitrators, yet they had been appointed to ascertain the amount of the debt due upon either side. The result of their inquiry was, that 2,300,000*l.* were found due by the public to the company, part of which having already been paid, this vote was only for an acknowledged balance, joined to some further subsequent claims. The point at issue, therefore, was relative to the rate of interest and the mode of transmitting payment of the debt due by the public to India. As to this, he had no

doubt

doubt of the charge made by the company being perfectly fair and reasonable, and that if their accounts had been submitted to a master in chancery, the amount of their claim upon the public would have been nearly four millions, instead of the sum at which it had been charged in the report. He could not really see any just grounds for objecting to the liquidation of the debt as now charged, as it was strictly due by the public. If the noble lord was determined to persist in objecting to any part of that debt, he should at least allow, even in his amendment, that which he might look upon as unobjectionable.

Lord FOLKESTONE stated, that the principle upon which he had proposed a grant of five pounds, was merely for form sake, as he objected to the voting of any sum whatever upon the report in its present imperfect state. He did not object to the paying of Indian interest so much as he did to the expense which was charged for carrying out bullion to India.

Sir JOHN ANSTRUTHER said, he most heartily concurred in the resolution, as it appeared to him it was fair and reasonable the company should receive payment of the money in the same place, and in the same manner, in which it had been borrowed. The public must be paying interest for that money, until such time as it was sent out to India, and, therefore, he thought there could be no question as to who should bear the loss.

Mr. WILBERFORCE and lord MORPETH severally stated their sentiments in favour of the original resolution, and lord Folkestone's amendment was negatived without a division. The original resolution was then put and agreed to.

Tuesday, May 17.

CONDUCT OF MARQUIS WELLESLEY THE CARNATIC QUESTION.

Sir THOMAS TURTON rose to move his promised resolutions respecting the deposition of the nabob of the Carnatic.* He began by saying—

Mr. SPEAKER,—Before I immediately call the attention of the house to the important subject of this night's discussion, important not only as it affects our interests in India, but as it involves the character and justice of Great Britain, I must claim the liberal indulgence of the house, whilst I state the motives which have induced me, and the steps by which I have been led, to undertake a task, which I must own myself so unequal to, without any personal weight in this house, unconnected with party, and disdaining to seek any other aid than the justice of my cause. Unable to supply these defects by talents or eloquence, I can only bring to this momentous case, the aid of laborious investigation, of disinterested zeal, and of an ardent desire to rescue the character of my country from the reproach which its Indian government has brought upon it. But however weak an advocate—however unequal to do justice to the question I must be, still, this great cause, decisive (as I firmly

* All the official Papers referred to in the course of the debate, are to be found in the Asiatic Register, for the year 1802.

believe

believe it to be) of our future interest in India, must wholly fall to the ground, if it is not preserved by my exertions, feeble and impotent as they are. Long before I had a seat in this house, the partial discussions which took place within it on this subject, and the private documents which accidentally fell into my hands, fully satisfied me of the necessity of an enquiry into the conduct of those who appeared to be deeply implicated in transactions so injurious to the character and justice of the country. Sir, when I learnt that this task had devolved on a gentleman (Mr. Sheridan) whose genius and talents are no less splendid than his political connections are powerful, I felt satisfied, that whatever might be the decision of the house, yet the subject would receive all the aid of talent and eloquence, of perspicuous and luminous arrangement, in addition to its own intrinsic merit. But when I entered this house, I found that these hopes could no longer be indulged; that the right honourable gentleman to whom I have alluded, felt himself compelled by circumstances to renounce that prominent station to which his character and abilities so peculiarly fitted him. Whilst, in common with those who considered the investigation as due to the honour of the country, I lamented this change of intention in the right honourable gentleman, I certainly did not impute it to any interested or unworthy motive; I have seen too much of the public conduct, and know too well the disinterested character of that right honourable gentleman, to believe that he would sacrifice public justice to party motives, and whilst I admit the probability, that his political connection with the friends of a noble Lord implicated in this transaction, might have some influence on his conduct, I cannot impute to this cause only, his desertion of his post. We all know, that great genius is often allied to great indolence; or perhaps the demands which society makes on splendid talents, leave to the possessors leisure very inadequate to the deep and laborious application which this subject required. To whatever cause, however, this loss is to be attributed, all must deeply lament it: the public, as it feels interested for the honour of the country; this house, as it participates in the public feeling; but above all, myself personally, when I consider the comparison which all who hear me *must* make, between the advocate as he is, and the advocate as he might have been; yet, under our disappointment, this consolation still remains, that the right honourable gentleman, if he gives not the weight of his abilities to conduct the cause, has avowed his firm and unequivocal support of it—has openly and recently declared, with the manliness which forms so prominent a part of his character, "that he firmly adhered to his former opinion, and continued to look on the deposition of the nabob of the Carnatic as the most atrocious and inhuman proceeding that ever disgraced the worst government, in any age, or in any country."—I assure the house that this declaration has been one inducement to my undertaking this cause.

In

In this state, impressed with the importance of the subject, feeling for the deeply-wounded character of my country, yet aware how unequal I was to the task, I gave early notice of my intention to bring the subject forward, if no one else could be found to conduct it; but within and without these doors, I have uniformly and sincerely invited those whose talents might assist, and whose influence might give weight to their efforts, to advocate this cause in my stead. I was satisfied how much it would suffer by being placed in my hands. With sincerity may I say, in the language of the Roman patriot, "*Semper fuit in hac re mea sententia et voluntas, quemvis ut hoc mallem de iis qui essent idonei suscipere quam me, me ut mallem quam neminem.*"

I much fear, Sir, that in opening this subject, I shall not quite satisfy the taste of one honourable member (Mr. Whitshed Keene) opposite to me, who considers it essential to a knowledge of this case, as well as that of Oude to go into a long detail of the various dynasties, and forms of government, which have existed from the breaking up of the Mogul empire in India, to the assumption of the Carnatic by our government. I have been certainly obliged to wade through them; but in this progress I have seen nothing which can induce me to believe that the house will obtain any useful information on the subject of this night's discussion, much less any amusement, by a detail of the Ghisnian, the Afghan, or Patan dynasties, enlivened as they occasionally may be by the exploits of a Tamerlane, or the conquests of a Nadir Shah. Every one knows what the character of a Mussulman government is:—general imbecility, but occasional energy. Sir, I shall content myself with commencing the epoch of Indian transactions in the Carnatic at the death of Nizam ul Mulck, soubah of the Deccan, 1748, who had, about six years before his death, invested Anwar u Deen, father of Wallah Jah, or Mahomed Ali, with the nabobship of the Carnatic. At the death of the nizam, Chunda Saheb set up his claim to the nabobship. The French espoused the cause of Chunda Saheb, and we that of Anwar u Deen. The war was carried on for six years with various success, till, in 1754, the two East India Companies in Europe put an end to it: and Wallah Jah, son of Anwar u Deen, (who was killed in the war) was left on the musnud of the Carnatic, and invested by the mogul. No one can doubt the motive which induced our alliance—it was no favour to the family of Anwar u Deen; for, as the French had espoused the cause of his opponent, we had no alternative---it was not even a matter of choice, but of necessity. If Anwar u Deen had not succeeded, we must have left our settlement on the coast to our rivals, and lost all the advantages of the famous commercial charter granted to us by Ferocksére in 1716. Interest was our sole motive, though perhaps not supported by the same rapacity and violence as at subsequent periods. But if the nabob was our debtor, how long did he remain so? In 1763, he granted the East India Company a jaghire of four districts, surrounding our settlement at Madras, forty miles in extent.---

This

This surely was ample recompense for the support of our own interests in India.

The alliance between us and the nabob continued uninterrupted for many years---indeed it never ceased. In the war with Hyder Ali, in 1769, when that prince dictated a peace at the gates of Madras, the nabob's forces joined ours; and it is well known in India, that Hyder was in a great measure induced to invade the Carnatic from resentment at the unnatural friendship subsisting between a Mussulman government and the British. In subsequent wars, the same alliance, the same cordiality, subsisted between us. In the year 1786, we persuaded the nabob to disband his army, and to commute his military services for a subsidy. This was the foundation of the treaty of 1787, which was a subsidiary treaty. In the year 1792, lord Cornwallis, finding that the payment stipulated for by the treaty of 1787, was beyond the means of the nabob to pay, without a grievous oppression of his subjects, reduced the amount, but obtained security for the regular payment of the sum stipulated by this last treaty. The policy, as well as justice, of this measure, was soon evident---from that time to our assumption of the government, the kists were paid regularly; indeed the payments were almost all made within a few days of the time in which they were due, and quite up to the period of the assumption of the country by us. In 1796, the nabob Wallah Jah, or as he has been otherwise called, Mahomed Ali, died at an advanced age, and the declared and recognized friend and ally of the British government;---He is so described in all his treaties executed with him---he is so recognized in the treaty of Paris in 1763;---he was so treated by the great Lord Chatham, in his letter to him; and even by a still greater authority, by the sovereign of these realms. At his death, his son, Omdut ul Omrah, succeeded him; and from the moment of his ascending the musnud to his death, the same alliance, the same friendship, the same treaties subsisted. True it is, that at different periods attempts had been made to modify the treaty of 1792, but firmly resisted by the then nabob. Lord Macartney had attempted it: so had lord Hobart; the East India Company wished it; but their servants were expressly forbidden to use any violence to obtain it, or any other arguments than those of persuasion and intreaty. In this they were seconded by the opinion of that virtuous man, the late lord Cornwallis, who, impressed with the advantages which some partial modification of the treaty would give to the Company's general affairs, yet thought it dishonourable to the British character to use the shadow of violence to obtain them, much more to violate a solemn treaty for the purpose. The papers on your table will fully prove this statement. This treaty, therefore, unaltered, unmodified, in the state in which it was executed by lord Cornwallis, in its basis guaranteeing the rights of sovereignty of the then nabob, Mahomed Ali, his son, Omdut ul Omrah, and "*his heirs and successors*," remained obligatory on the East India Company at the death of Omdut ul Omrah, in 1801. Let us then see how the company (or more properly the government) got rid of this solemn act of their own. Perhaps, Sir, the best mode of

of enabling us to form an opinion on this case, will be by a plain detail of the transaction as taken from the papers so long before the house.

Sir, I have before stated to the house, that on the accession of Omdut ul Omrah, he succeeded naturally to all the rights of his ancestors, and to all the advantages and obligations of the treaty of 1792; and that to the moment of his death he faithfully discharged the payment of the kists due by that treaty. When this prince was on his death-bed—surrounded by his relatives and nobles—afflicted with a malady that threatened speedy dissolution, and consequently occupied in preparing for another world, and in his arrangements to quit this—environed by the affectionate sorrow of his family and friends, to whom he was giving his last mournful directions:---at such a moment, and under such circumstances, was it thought not unbecoming British honour and feeling to violate the repose of the dying, and, under the base pretext of protecting the palace from tumult, to commence the first scene of this foul tragedy, by the introduction of a military force into the interior of the dying monarch's palace! On the 5th of July, 1801, colonel M'Neil received orders to proceed with a body of troops to take possession of the palace of Chepauk. On the troops arriving at the outer gate, major Grant communicated to the nabob their arrival, with the pretext of their being sent. On this information, the unhappy monarch sprang from his bed of sickness, and prostrating himself on the ground, clung round the knees of major Grant, imploring him, by the ancient friendship which had so uninterruptedly subsisted between the English government and himself, not to suffer his dying moments to be interrupted by this unfeeling outrage, or his subjects to witness this sad and last insult to their monarch, and degradation of his consequence in their eyes. Colonel M'Neil not seeing that any advantage was to be gained by the occupation of the interior, ventured to disobey the orders of the government, and stationed the troops so as only to surround the palace. In this state things remained till the 15th, when Omdut ûl Omrah died, and to all appearance (for the approach of the troops was accounted for by a concern of the company for the peace and security of the nabob's government) in friendship with the company. At no period of our connection with Hindoostan, were the interests of Great Britain less endangered,—her influence more powerful, her apprehensions less alive to danger, than at this moment. There was nothing to excite fear, or even to justify precaution, much less violence; yet scarcely was the nabob dead, before two cold-blooded commissioners entered the apartment of grief, and tore—from the performance of filial duties, from the sacred indulgence of heart-felt sorrow for a deceased parent—the heir to his virtues and his throne, to answer countless interrogatories, and to hear the memory of his revered father and grandfather polluted with the name of *traitors* to the East India company—traitors, Sir, to a power their friend and ally, and who occupied scarcely a foot of land which they owed not to the bounty and gratitude of these sovereigns!

Sir, to conceive the extent of this outrage, of this unhallowed profanation, of that decency, which even the rude, uncivilized savage deems sacred

sacred towards the remains of the dead, in a country where prejudices and customs, as in India, form part of the business of life, one must have lived in that country; but I have been informed by those best acquainted with the customs and habits of its natives, that the human mind can scarcely conceive the extent of sacred veneration and hallowed grief which presides at the funeral couch of the princes and nobles of the east. One instance will suffice: that for forty days after the death of a near relative, no business whatever is done. If there ever was an occasion when this custom might be allowed, even by European fastidiousness, to have its full operation, it must be on this, where an amiable youth was mourning the loss of an indulgent and beloved parent. But the errand of violence and rapine, on which these agents were sent, disdained the weakness of filial duties; their message brooked no delay. The prince (then sovereign of the Carnatic) was *ordered to attend the British commissioners*. To save himself (as he afterwards describes it) and his deceased parent from pollutions he could not bear to think of, he obeyed the unfeeling mandate. The will of the deceased was first required by the commissioners, and delivered to them: in it the prince was appointed successor to the musnud. When the commissioners were satisfied of this, they began to open the purport of their embassy: with an affected concern for the situation of the prince, they informed him and the regents appointed by his father's will, that his dominions were forfeited to the company by the treason of his father and grandfather, in having maintained a correspondence with the late Tippoo Sultaun, hostile to the British interests. In vain did the prince and regents remonstrate against this foul imputation on the character and good faith of their parent and sovereign; in vain did the dejected prince state the uniform tenor of his father's conduct, the long and well-tried friendship that uniformly subsisted between the English and the nabobs, and the principles and feelings of friendly attachment to the British nation in which his father had educated him from his earliest infancy. All these and other arguments were advanced to shew the impossibility of such a charge having any real foundation: but the errand of the commissioners was not to investigate, but to convict; not to hear the defence of the accused, but to pass sentence on the innocent successor. The prince was soon informed, that the proofs of guilt were decisive, the punishment settled; that he must either descend from his elevated rank, and mix with the bulk of his own subjects, or subscribe to conditions the most humiliating and base, and which would stamp with ignominy the memory and revered names of his ancestors—no other, Sir, than the complete surrender of the whole Carnatic to the East India company, retaining the nominal sovereignty, and consenting to be a pensioner on the bounty of the company. This first conference was protracted to a late hour, and the prince was at last suffered to retire. At a subsequent meeting of the commissioners, the regents proposed, in his name, a modification of the treaty of 1792; to place as security for the payment of the kists, the mortgaged territories in the hands of the company; in fine, to do every thing consistently with his

his honour and dignity to manifest his regard and friendship for the British nation. This and every other expedient was rejected, and absolute, unconditional submission to the will and mandate of the company insisted upon. Other meetings took place, two of them in the tent of colonel M'Neil, lord Clive being present, and here every engine of intimidation and persuasion were alternately practised on the young man. Troopers, with their drawn swords, paraded in front of the tent. He was informed by Mr. Fitzgerald that resistance was vain; that the governor-general, the court of directors, and the British government, were determined to carry this measure into effect. These arguments, coupled with promises of exterior advantages from the friendship of the company, on the mind of a young prince scarcely seventeen years of age, were very likely to shake his first and natural impressions; and, if we are to believe the statement of the commissioners, they for a moment staggered his first virtuous and honourable resolutions; but reflection soon restored his fortitude and honour, and at the next meeting with lord Clive, Ali Hussein informed him, that his mind was fixed; and determined rather to endure any calamity, than consent to affix this deadly stain on the memory of his ancestors. He was again asked if he was aware of the consequences of his resolution; that, from the pinnacle of human greatness, he would be precipitated into the abyss of worldly misery; and, on replying in the affirmative, he was told, that his lot, in future, would be that of a subject only.

He then took leave of his oppressors (as the commisioners themselves represent it) "with a smile of internal complacency;" and perhaps another was added of just contempt for this specimen of British justice and humanity in India. Sir, one should have imagined that this dignified and firm conduct in an Eastern prince, would have ensured to him the friendship, and would have excited the interests, even of those employed in this cruel mission; that at least they would have paused before they completed the work of injustice, and learnt from the great fountain head, from the contriver and mover of this wretched policy, whether there was no retreat, no compromise which British tyranny could admit. But no, Sir. The noble lord (Earl Powis) whose character for humanity amongst his English circle of friends has always stood fair, acknowledged no emotion of sympathy, no feeling of compassion for this injured prince; he came as the agent of an inhuman government, and one symptom of feeling displayed by him would have been a libel on his instructors. After having, therefore, observed, that he had done enough for the national faith, and the duties of humanity. (Oh! prostituted names!) he dismissed this miserable, but high-minded prince, with the unworthy threat, "that he would repent his conduct." The threat, Sir, was not long in executing; injustice and tyranny found too quick and ready agents. Determined to strip him of his dominions, the task was not difficult. Appearances, however, were to be preserved. A nominal sovereign was to be raised to the musnud in room of the rightful heir. The two next in succession by the Mahomedan law, Syf ul Mulk, and Hussum ul Mulck, were passed over; perhaps their dispositions were

were not favourable to the intended usurpation. The situation of Azeem ul Dowlah (the late Ameer's son,) immersed in prison, presented the commissioners with the means of carrying this nefarious project into execution; from him it was impossible to suppose any opposition to their plan; he had no pretensions to the musnud, and therefore could not be supposed to dispute the terms on which he was to receive his elevation. On their first application to him he was too much frightened to permit them to develope their plan; he was apprehensive they were coming to assassinate him, and it was with difficulty he could be assured of his safety. Subsequent interviews, however, soon informed him of the honours that were prepared for him, and the terms on which he was to receive them; of course the conditions were not objected to, and the very acceptance of the terms raised this uneducated young man (a prisoner almost from his earliest infancy,) in the eyes of his disinterested patrons, to the heigth of mental capacity, and to the credit of displaying "*considerable talents*" for government. This discovery was natural, as the criterion for talent was the greater or less subserviency to thei demands; and it is not surprising, therefore, that in a few interviews they found him the perfect model of a sovereign and a statesman. On the 26th he was presented in form to lord Clive; on the 28th he was installed on the musnud. But this day, in all countries, but particularly in the East, a day of festivity and splendid joy, was ushered in with the form, indeed, of gratulation and pomp, but with the heart of sorrow and misery. Instead of nobles vying with each other in the heartfelt obeisance of duty and love to their new monarch, none but the hired and venal slaves of the British government, or the most despicable of the natives, could any where be found to attend the ceremony; only one of the nobles could be prevailed on by menaces or entreaties, to do homage to the usurper, by attending the installation; and that noble (a just reward for his apostacy) has been since an outcast from all parties. But the feelings of the nobles or people of the Carnatic formed no part of the consideration of the British government. The country was to be obtained—no matter how. But this was not yet enough; the treaty of 1792 still remained, if not in force, yet in existence; by that the real heir and successor of Omdut ul Omrah was guaranteed in his succession. A new treaty, therefore, was to be made; but what could be the preamble? It could not state "that the young prince Ali Hussein, who succeeded, by the will of his father, to the musnud, had refused to convey all his territories to the East India company, and that therefore they had set him aside, and raised Azeem ul Dowlah to the throne." No, sir, this was too bold and daring a flight of tyranny and injustice, to suit the littleness of the rest of the plan; they were resolved to be, at least, consistent. On the 31st of July, therefore, they executed a treaty with their puppet, in which they state "the *hereditary* right of Azeem ul Dowlah to the throne of his ancestors!" They had forgotten that to Ali Hussein they had alleged the forfeiture of *all hereditary right* by the treason of his ancestors, and that from the bounty of the company alone could the natural or adopted

adopted heir of Omdut ul Omrah hold any part of the dominions of his ancestors. In the joy of their success in the attainment of their object, they did not observe that this very preamble tore off, in an instant, the flimsy veil which, to save appearances, they intended to throw over this diabolical transaction; that the whole world must see through the paltry pretext they had advanced for their treatment of Ali Hussein. Indeed, it must have puzzled Azeem ul Dowlah himself, if he was capable of forming a judgment on the treaty, how he came by an *hereditary right* to the musnud, in preference to the three princes I have mentioned. The treaty, however, was executed, and sent to the governor-general. This glaring mistake did not escape his acute and discerning eye, and while he gave his general approbation, and bestowed his warm encomiums, on the "ability and moderation" with which the governor of Madras had conducted himself, he delicately observed on the inconsistency in which this acknowledgment of *hereditary right* would involve the British government, and suggested an application to Azeem ul Dowlah to substitute "*the liberality and bounty of the company*," for those two dangerous words. The application was made, and of course consented to; and thus stands the treaty at present. Before I take leave of it, I cannot help observing, that a more curious piece of state mechanism never graced the archives of the British Museum; a treaty which with *one* hand gives every thing to a sovereign, and with the other takes it again from him; a happy specimen of Eastern composition! of British negotiation in India!

After this statement, one should have hoped, for the honour of humanity, thus daringly outraged; for the honour of the British character, thus deeply wounded, through its servants, that the last and finishing stroke was given to British tyranny and oppression; when that the great and only object was obtained, some little pains would have been taken to soothe the irritated and astonished minds of the unhappy sufferers in this scheme of state villainy; that, above all, the gallant and noble-minded prince, the dreadful sacrifice to their lawless ambition, would have found a peaceful refuge from his misfortunes in the protection of that power which had stripped him of his dominions, under the foul pretence of his ancestor's misconduct, and that he would not have formed a cruel exception to obtaining that sympathy which the virtuous character in misfortune is wont to excite. Whoever, Sir, thus hopes and thus reasons, knows little of the character and conduct of the then British government in India. No, Sir: Ali Hussein had sinned beyond forgiveness; he had dared to disobey the mandate of that government;—an offence never to be forgiven. For him, therefore, tyranny was to exhaust its shafts; and oppression all its deadly weapons. Will it, Sir, be credited, will it not, to those who have not read the papers, rather appear as the effusion of an heated and disordered imagination, when I state to the house, that this amiable prince, the most accomplished and most literate of his age and country, whose patriotism and filial affection had induced him rather to sacrifice a throne, than basely transfer his subjects or even suffer an unmerited stain on the memory of his ancestors, was deliberately placed by

by the British government, together with his wife and family, with every thing dear and valuable to him in this life, *in the power and custody of the usurper of his throne*; that his very subsistence, the actual means of life, were made by them to depend on the nod and will of his natural enemy? Can the human mind conceive a refinement of cruelty exceeding this? Yet, even in the place of confinement, in the mode of executing this tyrannous act, vindictiveness found a powerful auxiliary. The very palace in which he had been educated, where, in the life-time of his parent, he had resided with his wife and family, which had been bequeathed to him as his private legacy, and which had been decided in the case of Mr. Latour, a mortgagee of the late nabob's, to be the exclusive private property of his ancestors, and, as such, subject to the right of the mortgagee—this palace, Sir, was chosen for the place of his imprisonment, and the usurper of his throne put in possession of his property and person at the same time, and not one friend, one acquaintance, permitted to enter his apartments, without the permission of Azeem ul Dowlah. It requires no great foresight to predict the issue of this measure; he must be ill read in the history of royal captivity, not to perceive how short, in these cases, is the distance between the prison and the grave. The unhappy prince was fully aware of the fate which awaited him; and in that feeling protest, on the table, to the sovereign and to the heir apparent of these kingdoms, against the manifold injuries he had sustained from the British government in India, he pathetically dwells, in the spirit of prophecy, on this last aggravated act of oppression and injustice. "I need not," says he, "endeavour to impress you with the horrors of the situation to which I feel myself reduced. You have but to picture to yourselves the heighth of human grandeur, and the sad and miserable reverse of it, the highest and lowest state of which humanity is capable; but even the meanest subject of the very worst government possesses a blessing which my fortune and fate forbid. He owns the gratifying sensation of knowing himself safe amidst the society of his fellows; whilst I, an unit, as it were, in the sum of the people of the Carnatic, am delivered into the hands of an enemy, who has but one act to execute to finish his career." Alas! Sir, too fatally prophetic were these fears. Before the government at home could send out their orders to take this unhappy prince under the protection of the government, (for this justice must be done to the administration of Mr. Addington) and out of the hands of Azeem ul Dowlah, this unhappy prince was no longer the object of earthly commiseration. The bitter cup of misery, filled to the brim, at last overflowed, and "ran over into eternity." His great and dignified mind, unfitted to encounter the tyranny and violence of British Indian justice, sunk under the accumulated injuries which pressed on him, and his pure spirit, weary of its earthly abode, fled from its persecutors to those regions of eternal bliss, where, at the feet of his creator he is seeking retribution for his wrongs! God grant that they may not be visited on Britain, for the delinquency of her sons in India!

And now, Sir, let me for a moment pause, and ask the house, the country, and even the friends and supporters of the then government

in India, whether the annals of a Nero or Caligula, aye, Sir, even of the modern Nero, furnish one single instance of a transaction more tyrannous, more diabolical, more keenly outraging every feeling of a British mind, than this which I have so faintly stated to the house; in which I have not only exaggerated nothing, but, if I am permitted to have a committee to investigate the particulars of the treatment this heroic prince received, I pledge myself to the house to prove a case, far, very far, more atrocious than I have represented it. I have, Sir, a motion to submit for this purpose. And is it really, Sir, the conduct of a British government in any quarter of the world, that I am compelled to designate with terms so opprobrious? with a character so opposite to the mild spirit and practice, not only of our government and constitution, but of every Englishman? How, Sir, are we to account for this wonderful and sad change of the British character? I well remember, that great statesman Mr. Burke, with that energy of expression, and that sublime eloquence which so peculiarly distinguished him, describing the change of the British character in India, could no otherwise account for it, than by supposing "that those who visited India were unbaptized in crossing the line, and left all their Christian virtues behind them." At least it appears that some of our governors, if they took their virtues with them, soon got rid of them after their landing in India. I remember, Sir, when I moved for the re-printing of these papers, I was asked whether I meant to charge either Lord Wellesley or Lord Clive with the specific crime of *the murder of Ali Hussein.* To that question I answer now as I did then—That of the specific crime which the law calls murder, and which implies intention, I never did; but I hesitate not to charge them with being in a great measure *the cause of his death*—first by their oppressive conduct towards him in despoiling him of his dominions; and secondly, by placing him in the power of the usurper of his throne. That he died not a natural death, I firmly believe, by the evidence of Dr. Anderson.-----The disorder had been attended with bloody stools, which lasted twenty-five days, as I understood, no uncommon symptom of poison. But I do not charge even Azeem ul Dowlah with the murder of his prisoner, not because I doubt it, but because I have no proofs of it. But is there one individual who has read these papers, the most partial and allowing friend of those who are implicated, that can hesitate to condemn this ill-judged and inconsiderate conduct (to say the least of it) in the government of India? Did it require any great knowledge of human nature, to perceive the imminent danger to which the prince must be exposed, if placed under the power and controul of Azeem ul Dowlah? and the strong, very strong interest which the usurper must feel in the death of his captive? It is impossible but he must have wished and have sought it. If they had even consulted that great master of the human passions, the immortal Shakespeare, he would have told them---

. . . . "It *could* not be,
That while warm life plays in that *prince's* veins,
The misplac'd *Azeem* should entertain an hour,
One minute, nay, one quiet breath of rest.
A sceptre snatch'd with an unruly hand,

Must

Must be as boist'rously maintain'd
as got;
And he that stands upon a slippery
place
Makes nice of no vile hold to keep
him up"

Every man in India saw the danger. Mr. Addington and the government here saw it: and if the two noble lords saw it not, they either shut their eyes, or lost for the moment their common intellects. No, Sir, they did see and feel it; they occasioned it, and they refused to remedy it. Application after application was made to them on the subject by the prince, the regents, and all the captives of the family, male and female. No redress followed; but the increased insult of referring them to the usurper, by whom they had been inflicted. At last, however, they were told, "that they might leave the palace if they chose!" In the excess of benevolence they were permitted to be wanderers from that home, which was their own and sole property, and strangers in a land subject to the sway of their ancestors; yet not even the protection of the Company from want and insult was proffered them! This boon of liberty, steeped as it was in poverty and want, was clogged with a condition which rendered the acceptance of it impossible---*their women were to remain in the palace, subject to the lust and will of the usurper!* On such conditions they refused the *noble* boon; they spurned the insult offered them, and preferred to drag on a miserable captivity.

I will now, Sir, take leave of this most painful part of my subject; and would to God the scenes I shall now turn to, were such as to console us for those we have just witnessed; that, dark and melancholy as has been the picture of woe I have exhibited, it could have been rendered less disgusting to the eye, by a review of those reasons which have been assigned to justify the act. If, however, the act itself presents all the horrid features of tyranny and oppression, of cruelty and injustice, the pretexts by which it is defended are still more disgraceful to the British character,---they strip the act itself of those bold and daring qualities, which dazzle and confound the mind, and in some measure diminish the atrocity of the act; but here every thing is low, mean, and pityful; all is subterfuge and chicanery. A sovereign is despoiled of his dominions, on charges and pretences---not against *himself*, but *against his deceased ancestors*, which, if fully substantiated, would not have convicted *them* of the indefinite crime of *an intention towards unfriendly conduct* against the British interests: the most abandoned and notorious criminal could not have suffered the slightest punishment on such evidence: for what is the evidence? A correspondence which took place many years since---between whom? not between Wallah Jah and Tippoo Sultaun; nor between Omdut ul Omrah and Tippoo; but between the ambassadors of Tippoo and their master, stating conversations which passed between them, Wallah Jah, and Omdut ul Omrah! How is such evidence made to affect the nabobs? By what forced construction does it apply to them? Will the right honourable and learned baronet opposite (Sir John Anstruther) say, he would have convicted any criminal on such evidence in his court at Bengal? Would he even have suffered it to be read? The right honourable gentleman may smile, but

but will he answer in the affirmative? I challenge him to do so.

If, however I can summon patience to go through the disgusting scene, I will state to the house the whole of these contemptible substitutes for evidence. I will examine in order this mass of impotent proof; and let us see whether, if cleared of their legal objections, they prove any thing criminal, or approaching to it, against any body, save against the British government in India; that, indeed, for the use it has made of them, will be consigned to eternal disgrace and infamy.

The first of these criminal letters is from Gholaum Ali Khan and Ali Reza Khan, Tippoo's ambassadors (attending on the young princes who were hostages with Lord Cornwallis) to their master. It states a conversation between them and old Wallah Jah, in the presence of the princes, in which the old nabob is made to say, on the ambassadors presenting him with a gold mohur, in their master's name, "May God long preserve Tippoo Sultaun, who is the pillar of the religion of Mahomed"! Was this criminal? I observe the gentlemen on the other side, by their gestures, seem to say ---Yes. What! were wishes, dressed in the hyperbole of Eastern language, to be considered as criminal? Who was Tippoo, to whom he wished prosperity? An enemy of the British government in India? No such thing: he was at the time a friend, and in alliance with the Company; and such a friend as had been recommended by the British government, by Lord Cornwallis himself, to the attention of the nabob; and we actually find, that at another interview, about three days afterwards, the particulars of which are detailed by the same ambassadors, they write to Tippoo thus: "On the 24th Tuckee, Wallah Jah, Omdut ul Omrah, and Hussein Nawauz Khan, the younger son of Wallah Jah, Lord Cornwallis, and General Meadows came to visit the princes. His highness took occasion to observe, that we considered him to have been an enemy; whereas, he declared in the presence of God, that he was not, and is not; that, on the contrary, he was a friend and well-wisher; that he had opposed the breach between your majesty and the three allied states to such a degree, that every one decided in his own mind, that inwardly your majesty and his highness were one; and *he desired us to ask Lord Cornwallis and General Meadows* (who were present) *whether he said true or not.*" Now, Sir, let me ask the most credulous, if it were possible that a conversation so open, and to which reference is made to the British government, then present by its representatives, could have any thing criminal in it? Lord Cornwallis, after his treaty with Tippoo, believing, perhaps, that it would be the means of more firmly establishing the good understanding between the English and Tippoo, in that spirit of peace which always directed the conduct of this amiable nobleman, recommended Wallah Jah to cultivate his friendship, and to treat the young princes of Mysore with attention. It was in compliance with these wishes that the old nabob paid them these visits and these compliments, which have so alarmed the British government. But to proceed, Sir, to the second paper, which is also an extract.

This

This is an acknowledgment, by the same ambassadors, of "*a gracious letter, giving cover to a slip of paper, on which were written two couplets, of the 28th Tuckee;*" and after this, the writers inform his Mysorean Majesty, "that they *understood his instructions, and will act up to them when occasion requires.*" Well, Sir, what has poor Wallah Jah to do with this? Why has it been introduced as a charge against him, that ambassadors receive instructions from their court, and promise to obey them? But it may be said, these were not common instructions, for they produce a second letter from the ambassadors, promising secrecy; for No 3 is an arzee from the same ambassadors to Tippoo, in which are the important words. "*Your majesty desires we will not divulge the secret to any one. Refuge of the world! we consider the concealment of the commands and secrets of our superiors in the light of a religious duty.*" I have no doubt the instructions were deemed important by Tippoo; perhaps they were so; but is there the slightest proof that they were ever communicated to the nabob, or even that he was concerned in them? Not one tittle As well may you say, that if the right honourable secretary sends instructions to an ambassador at a friendly court, enjoining secrecy, that this very injunction is an hostile measure to the court where he resides, and must mean treachery towards it. But then I shall perhaps be told, that, if it proves nothing by itself, it confirms other more strong proofs of the nabob's treason, and that the next document is evidence of it. Let us then examine it. This is also *an extract of a letter* from the same ambassadors to their master, recounting what passed at another interview, six days after the former, in which the old nabob, then turned of eighty years of age, with those amiable feelings, his characteristic, took the young princes on his knees for two hours, and, in all the simplicity and goodness of an ancient patriarch, invoked blessings on them and their parent; assured the ambassadors that he considered Tippoo as a pillar of the Mussulman faith, and that he daily offered up prayers for him, and made his subjects do the same." The next day it appears the visit was returned, and it being the feast of the Eedoo Zoha (the feast of the camel) the nabob, his sons, and sirdars, all came out to meet the ambassadors, and the princes were again taken on his knees, and the same blessings and compliments passed; and he is represented as the prince "through whom these rituals and observances of the faith (alluding probably to the Eed) yet remain." The ambassadors then go on to state, that the nabob observed to them (and this is, I understand, the threatened proof of treachery) "that in his first conversation with them, as detailed in No. 1, he spoke to them on the subject of establishing a friendship and harmony between him and Tippoo," asking them, "if they had intimated it to him, and received a favourable answer?" The ambassadors reply that they have, and that Tippoo had answered most favourably, not admitting a doubt of cordiality and friendship subsisting between the followers of Islamism; and they then relate an expression of Tippoo's, "God preserve the nabob Wallah Jah! who is a prince, and one of the leaders of the faithful, and a pillar of the faith." The politeness and

and modesty of the old monarch here break out, and he refuses this title, which he had before appropriated to Tippoo exclaiming--- "I am what I know myself to be; tell the sultaun that he is the pillar of the faith." After this struggle of compliment, the old nabob, resolving not to be outdone in courtesy, exclaims to the princes, "Oh! my sons, if my life and property can be of any service to you, God is witness that I will not refuse them to you." He then gave orders to his gardener to send the children, daily, fruits and flowers; and afterwards, turning to the ambassadors, assured them of his regard, telling them how anxious he had been to preserve peace between their master and the English, and how much he had incurred the reproofs of the latter for his interference. He enters also into the particulars of his own affairs at great length, and concludes the visit with presenting khellauts of embroidery and jewels, to the princes and ambassadors, as is the custom on feast days; and then, after sending dancing girls with the princes, took leave of them.---The ambassadors then comment on the general disposition of the people of the Carnatic, and inform Tippoo, that whenever the princes went out, the natives stood by thousands in the streets, and offered up prayers for Tippoo's prosperity; and that, on festivals and Fridays, all the Mussulmans first prayed for his (Tippoo's) preservation.---Thus ends this very important *extract*, which is to shew the hostility of the nabob to the English. Will it, Sir, be credited, that all this avowal of friendship, so dangerous to British interests; all this regard for the happiness and prosperity of Tippoo, so inconsistent with his alliance, and on which the solemn charge of *treason* is founded, passed in the presence and hearing of a loyal and gallant English officer, Major Doveton, who had the custody of the princes? and for the truth of these assertions, wherein the nabob is made to avow the sincerity and extent of regard for the interests of Tippoo, he appeals to this officer, as he had before done to Lord Cornwallis? Is there, then, a possibility that the nabob, at such a time, and in such company, was meditating hostility to the English government? We are next favoured with another extract of a letter from Tippoo himself to his ambassadors. What does it direct his ambassadors to do? Nothing more than to return his compliments and thanks to the old nabob for the kindness he had shewn to his (Tippoo's) sons. Not one word appears in it hostile to the British interests, or leading to the remotest suspicion that the nabob was carrying on a clandestine, much less a treasonable, correspondence. There is certainly a great deal of courtly style and Eastern hyperbole. The sultaun had been called the pillar of the faith, and in return he tells his ambassadors that "it is evident the nabob is a pillar of the Mahomedan religion, the elect of the Almighty, a man of dignity and worldly experience."---Really, Sir, one can hardly summon patience to read through these unmeaning documents.

The next in order is the cypher, which I shall reserve for the last, as considered by them the most important, and by myself the most ridiculous, of all the pretences they have advanced for proof of guilt.--- Number 7 we will therefore next examine. This is a translation of

a letter

a letter (the first whole letter we have yet had) from Gholaum Ali Khan to Tippoo, *without any date.* It appears that, at this time, Ali Rheza left the Carnatic on a special mission to his master: and we are not left in doubt what and from whence the proposition was, for the letter informs us, that it was "for the purpose of bringing to a favourable issue the propositions of Lord Cornwallis, and the well-wisher of Marbud (Wallah Jah)." I think, after reading this sentence, it would be a waste of time to give one moment more to this document. No. 8 is full of nothing but unmeaning compliment. No. 9 is a translation of *the copy of a letter* from Tippoo Sultaun to Omdut ul Omrah, the *nabob of the Carnatic,* dated November, 1792. Now, Sir, it is impossible but part of this copy must be a forgery. It is addressed to Omdut ul Omrah, as *nabob of the Carnatic.* Now, he was not nabob till 1795; and is it possible to believe that, in a country where forms and ceremonies almost constitute the business of life, such a prince as Tippoo should address Omdut ul Omrah, who might never be the nabob of the Carnatic (if Wallah Jah so chose) as the then nabob? The thing is impossible; it discredits the whole mass of these flimsy documents, and excites the suspicion that they might all have been forged. But if this letter has not been fabricated; if it is a true copy of a letter, really written, it is as unmeaning and as trifling as the others. No. 10 deserves more attention, because in this Gholaum Ali Khan writes to Tippoo, that he (Gholaum) had received a message by Khadir Nawaz Khan from the nabob giving Tippoo some information and friendly advice. Without waiting to examine the validity of such evidence, I will suppose the message was actually sent by Wallah Jah to Tippoo. It was certainly most kind and friendly advice. "Take care (says the nabob) what you are about; you may not mean wrong, but your frequent communications with the Poonah government have excited suspicions here; and this, added to the withholding your kists, and your refusal to release the European prisoners, has alarmed even Lord Cornwallis. For God's sake, if you will rush headlong on destruction, do not break your word of honour with him; at any rate, perform your engagements with him; and if, after he is gone, you choose to act imprudently, the blame will not fall upon him." I should be glad to know what there is in this advice incompatible with the nabob's friendship toward us? I will put the worst possible construction on it, namely, that it was an advice to Tippoo to temporize with us. Why, Sir, with such a mind as Tippoo's, perhaps this was a great object gained; if not to us, yet to himself. Do we not know what the invariable consequence of a war between us and the sovereign of the Mysore was? the probable desolation and plunder of his kingdom;—in any event, the taking of his dominions from him for the time. Was it, therefore, either unnatural or unreasonable, that he should use every possible means, even of delaying such a calamity? This is the most unfavourable view of the subject for the nabob. But I do not believe, if he did send the message, that he had any other intention than to act as mediator between both countries, from personal regard to lord Cornwallis; and I think there is every reason to think

think that the advice was given at the suggestion of the noble lord himself. No. 11 needs no other notice than that it is an account of an exhibition of fire-works, given to the princes on occasion of a festival, and for which the governor of Madras lent his garden. Here Omdut ul Omrah is made to commence his career of compliment to Tippoo, as adulatory and absurd (to us) as his father's. No. 12 contains some more advice from the nabob, said to be sent by the same Khadir Nawaz Khan. If this is a fabrication, it is carried on; if a real transaction, it is consistent with the former advice. The nabob here informs Tippoo, that, if he looks for support from the French, he will be deceived; that the English troops are going against Pondicherry, and that the place will be taken. He then expresses his hopes that the sultaun "keeps in view all the ups and downs of the time," and states his motive for this advice to be friendship. What is there in this hostile to Great Britain? Not one syllable that can bear such an interpretation. No. 13 is an extract of a letter from the ambassadors to Tippoo, detailing a conversation between Omdut ul Omrah and themselves, in the garden of the ambassadors, wherein, like his father, he is made to repeat the old story of his regard for Tippoo as the defender or protector of the faith. The ambassadors then inform Tippoo that they have, under suitable pleas, and a proper introduction, prevailed on Omdut ul Omrah to lay the foundation of it, and that, please God, they would inform him (Tippoo) of the result. Now, Sir, I am very ready to allow, that something here is intimated, which wickedness and design might construe into mysterious, and therefore guilty intention; but how will malice be disappointed, when it learns that this communication related solely to a projected marriage between the courts, which never took place, and the failure of which, Tippoo, imputing to the want of address or skill in his ambassadors, put them both into prison on their return to Seringapatam. In truth, the nabob, Wallah Jah, wished not to offend Tippoo; and though, from the first, determined not to consent to the alliance (never having forgotten nor forgiven the insult first offered to his family by Hyder Ali, who, having captured a sister of the nabob's, placed her in his harem) he gave the ambassadors no reason to suppose he would ultimately decline it. But, it will be said, Why this secrecy? Why is not the marriage mentioned? why, at least, not hinted at? I will tell the hon. gentlemen, who look with such meaning and enquiring looks,—Marriage is never mentioned in Hindoostan, nor forms part of a correspondence. The institution, and all that relates to it, is held so sacred and hallowed, that every thing regarding it is mentioned and designated under figurative expressions; *the* affair,—*the* business,—*the* transaction—are the terms used frequently to express it, as we find here. Can any explanation be more satisfactory? I challenge its contradiction. In No. 15 Tippoo seems to acknowledge the receipt of the last letter, as in this he desires further information, when they receive any. No. 16 is the translation of a letter from the ambassadors to Tippoo, in which they give him an account of their having administered an obligation sent by Tippoo, to the servants of the sultaun in the Jaumeh mosque. This is a very curious ceremony, and Wallah Jah's young

young sons went to see the grand spectacle; near a thousand persons were assembled, and all the servants, "high and low," belonging to the sircar, were ordered to attend, to put on their best clothes, and to bathe themselves. Then Ali Rheza, with the Cauzy of the city, the Khuttub (or preacher) Syed Mahomed, *a man of great learning*, joined the gaping throng. After prayers, Ali Rheza asks the cauzy, and other persons of learning, who were present, to explain to the people present the contents of the Kotba, and the punishment for breaking any of the laws contained in it. The cauzy replies, that the contents were, the command of God to wage holy wars; not to take flight in the face of an enemy; to form an union among the professors of Islamism, and other obligations of the faith; then, after a learned exposition of the duty of servants, the engagement was made, by each of the servants, that they never would be guilty of flight from an enemy, of theft, of lying, of injuring, nor of any thing that belonged to treachery and ingratitude. Thus ended the ceremony; and a more innocent and laudable one can scarcely be conceived, nor the duties of religion or morality more properly enforced; and yet this, I know, is stated as one of the great charges against the nabob, and that it is evidence of a religious union between the monarchs, to wage religious war against the English. Never was so absurd a supposition. And here it is remarkable, that neither Wallah Jah nor Omdut ul Omrah was present, which, if the meeting had been held for such a purpose, they would have been. Indeed, it has no more to do with them than with any of us. No. 17 is a fine specimen of Indian poetry; Omdut ul Omrah is said to be the poet; it is supposed to be addressed to Gholaum Ali Khan. This is a most curious document, written "*with a pencil, upon half a sheet of post paper, with an envelope of English paper.*" The translator has chosen to say it is Omdut ul Omrah's writing. This could have been easily proved, but it has not been attempted. But it is impossible it should have been sent to any one. What! a note written with "a pencil," enclosing a message to the saultaun, and a couplet to be repeated to him---the thing is wholly impossible. I will venture to say, no such departure from the ceremony of Eastern manners ever took place. But it is quite unnatural; for the poetry, if excellent, is very innocent. I shall, therefore, waste no more time on it. No. 18 and 19 introduce two new characters: Mahomed Ghyaus, and Mahomed Ghoose Khan, new ambassadors, who, on the disgrace of the old ones (as it is generally believed, from their failure in accomplishing the projected marriage) are sent by Tippoo to condole with Omdut ul Omrah on the loss of his father, Wallah Jah. When I observe that Major Grant, the town-major, and the governor of Madras, introduced these ambassadors to the nabob, it is unnecessary to add much more: they had two interviews; the nabob sent them clothes and provisions, and a generous struggle took place on the occasion; nothing more passed, and away went the ambassadors, with the usual presents and compliments. I cannot discover what occasioned these two letters to be introduced; as little can one imagine what importance is attached to the two which remain, one written by the nabob, Omdut ul Omrah,

Omrah, (as it is said) under the name of Gholaum Hussein to Gholaum Ali Khan, and the other by Khader Nawaz Khan, to the same. The latter, of course, can have nothing to do with the nabob but it is a mere letter of friendly wishes to the old ambassador. The same answer, however, as to any inference of improper understanding between the nabob and Tippoo, will apply to both, and I think it will not be an unsatisfactory one, when I inform the House, that at this very period, January, 1797, after a correspondence and too good understanding charged to exist between these two monarchs, neither the nabob, nor Kadir Nawaz Khan, knew that Gholaum Ali Khan, to whom they were addressing these letters, were in disgrace and confinement at Seringapatam; and that Tippoo, suspecting that Gholaum Ali Khan had, in his embassy, betrayed his interests, intercepted these letters written to Gholaum, having previously instructed his new ambassadors to conceal the circumstance; and this will account for their being found in the palace at Seringapatam. I think it is impossible to give a more complete refutation to the whole of this pretended conspiracy, than this statement of the conduct of Tippoo towards the nabobs; a conduct so wholly unlike the confidence necessary for co-operation, that it is undoubted evidence of the direct contrary. And now, Sir, let me ask the House, whether they can discern, in any of those letters, one symptom of treasonable correspondence, one feature of criminal intercourse?

But I shall be told, that I have forgotten the cypher---that I have purposely passed over this dreadful engine of treason, this unanswerable proof of hostility to British interests. I can assure those who think so, that they are much mistaken. I would not rob the House of the amusement which the examination of this curious document will afford them. And first, I will ask the right honourable secretary for foreign affairs, whether he remembers an instance or a cypher, for the purpose of concerting hostile measures resembling this? and if not for this purpose, there is nothing criminal attached to it. Where are the symbols or characters of treason in it? One man it designates by the name of the friend of mankind; another by the distinguished in friendship; a third by the protector of the faith; and a fourth by that of nothing, or nonentity! Well, Sir, these have no hostile meaning in them. But then, there are two fatal words that can mean nothing else than war and destruction: there are the words, "*a scimitar and a saddle.*" I must acknowledge, Sir, that both may be very hostilely employed, but by whom? by poor Wallah Jah, or his successor, Omdut ul Omrah? Alas! Sir, British art and perfidy had not left them a single trooper to mount the saddle, or to gird on the scymitar: with the exception of those terrific characters, there was not a symbol or character which could, by the most forced construction, designate any thing hostile; but it is an extraordinary circumstance, that the translator of this curious piece of mechanism, which was to deluge the Carnatic with blood, and to shake the English government to its centre, candidly confesses, that it is frequently very difficult to make out which is the cypher and which the key!

But, Sir, I might even, for the sake of argument, allow that this cypher

cypher afforded presumption of guilt; that it justified the suspicions which, after *two years invention,* they have fixed on it; yet, how is it made to affect the nabobs? Why, it is said, it was written by Omdut ul Omrah, and said to be given by him to Khader Nawaz Khan, who gives it to Ali Rheza Khan, on his departure for Seringapatam.---Who proves this? No one. In fact, he who receives it knows not from whom he got it; and does not even pretend that it was from Omdut ul Omrah, but from some one of Wallah Jah's ministers. But I have been told, that it is in Omdut ul Omrah's hand writing, and at the bottom of the key or cypher is a symbol designating "the hand-writing of Omdut ul Omrah;" but how does this prove that he either wrote the cypher or the key? But that which damns all possible inference of its being the work of Omdut ul Omrah, or of any person by his or Wallah Jah's directions, is, that the British government, having in their possession, or under their controul, the ministers of the nabob, at the time, and the ambassadors of Tippoo, have not dared to examine those who could give the most positive proof, if such was the case; and in any event could have prove the hand-writing of Omdut ul Omrah. But this, Sir, was not the wish of the British government; the developement of the truth they feared; they *knew* there was no guilt; the more obscure the case, the better it would answer their purpose of substituting suspicion for proof; this was what they wanted, and in it they succeeded. Will any man doubt that such was their object, when I am enabled to refer my hearers to the information of the commissioners, that the translator commenced writing the evidence in the Persian language, but that he soon changed it for the English, "the evidence not taking the turn which they (the commissioners) expected!" But, Sir, I will not consume another moment on this grand keystone of their case, this curious and unique state paper, which I think deserves, equally with the treaty, a place in the archives of the British Museum!

Having gone through the whole of the written evidence in support of the charge against the nabob; and let it be remembered that the greater part are only *extracts* of letters: I will ask every man in the house, whether they can lay their hands on their hearts, and say, they believe the alleged treachery of the nabobs. But, Sir, when I refer gentlemen to the oral evidence in support of it, there cannot be two opinions, not only as to the guilt of the nabobs, in the house, but as to the belief of it in those who fabricated the charge. What will the house think of the prostituted character of British justice in India, when I inform them, (and refer to the papers on the table for the proofs) of the manner in which this examination was conducted,---The two witnesses were Ali Rheza Khan and Gholaum Ali Khan, the writers of the letters we have been examining. They were at that time pensioners on the bounty of the English government, and that government thought it not dishonourable to remind them of the dependent state, or to threaten them with the loss of its favour and protection, if their answers to the questions put to them were not correspondent with the views and expectations of the British government. In the

course

course of the evidence, particularly in that of Gholaum Ali Khan, we find this was not an idle threat: when his replies suited the purpose of conviction, all was right, no objection was made; but when they had the remotest tendency to exculpation, or even to explain doubtful circumstances, the witness was stopped, was seriously admonished of the perilous situation in which he stood, and of the probability that he would lose the protection of the British government. More than once he was dismissed, and ordered to weigh well, *not* his evidence, not the truth of his depositions, but the situation he was placing himself in, if he spoke unwelcome truths! Yet all these menaces, from a power to whom these witnesses owed, not only protection, but the very means of subsistence, could not extort one contradiction to their testimony. They again and again declared, that the whole correspondence was mere unmeaning compliment; that the "business or affair" mentioned, was a proposition of marriage, which, not succeeding, they had fallen under the displeasure of their master; that there was no conspiracy against the British government; on the contrary, there was not even a good understanding between the monarchs; all was hollow, insincere profession.

For the honour of British justice, let me ask the right honourable baronet opposite to me (Sir John Anstruther) if he would have permitted a proceeding so disgraceful to have passed in his court, whilst he presided over the judicial proceedings in India? I will not dishonour him by the question as applied to the court in which he presided, but does he really believe that there is to be found any inferior court, professing to administer British justice in India, where such a conduct towards witnesses would have been for an instant endured? (Here Sir John Anstruther rose, and called to order: he said it was very irregular in the hon. baronet to make such repeated allusions to him; and he did not know what right he had to ask his opinion on the subject. Sir Thomas Turton maintained he was strictly in order; and the speaker decided there was nothing irregular in putting such questions in the course of argument.) Well, Sir, if the right hon. gentleman feels hurt at the reference, I will appeal to any lawyer in the house, if a judge in the lowest court of this country would have witnessed such treatment of an evidence, without the severest rebuke? Indeed, I may ask whether, on documents like these, supported by free, unbiassed evidence, any judge would have convicted the most abandoned culprit of the most trivial offence? Yet, Sir, upon no other than this, is a charge of treason made out, by which a sovereign is to be despoiled of his dominions, and his accusers and judges put in possession of them. If, however, these contemptible charges could for an instant be supposed to affect the character and interests of Omdut ul Omrah, how came they not to have been brought forward in his life-time? Will the house believe that these pretended proofs have been upwards of two years in possession of the British government in India? If brought forward during the life of Omdut ul Omrah, they might have been explained or disproved; but on what principle, but that of the most wicked and tyrannous intent, were they reserved to greet his amiable and

and innocent successor? Let me ask these great legal casuists, who can extract even the semblance of guilt from such despicable papers? (and of a guilt too which is to carry with it the extremity of punishment) by what distortion of argument they affix any part of it on his successor? How is he implicated in transactions of which he formed no part? they surely will not pretend it. How then do they justify the base act they have committed, in stripping him of his dominions, in humbling him to the dust, and of having ultimately precipitated him to an untimely grave! Sir, I should, indeed, have in vain sought for the reasoning on which this attempt is founded, if I had not felt it my duty to peruse the numerous publications with which the press has lately teemed on this subject, publications as disgraceful to the authors as they are injurious to the fame of their patron, in which the respectable authorities of Puffendorf, Grotius, Domat, and even of the immortal Locke, (Ah! little, Sir, did he dream that his authority could have been so prostituted!) are adduced in support of their monstrous propositions. There is one which stands pre-eminent in abuse of the accusers of the noble marquis, honouring me with a notice, which, if the author writes from necessity, excites my pity, if not, my contempt. In this noted publication the authority of Domat is quoted, to prove "that the damage done by the parent, the heir is bound to repair;" and this is the justification deemed sufficient by the author for this act of violence and bloodshed—"damage done by the parent." What damage has been done? what injury has been sustained? Is there any attempt to prove more than a conspiracy, an intent to do something, which *might have led* to injury or damage to the British interests. Prove your loss, and we will then, on these principles, set about repairing the injury. And is this the defence which the indiscreet partisans of the noble marquis think it prudent to advance? Is it "*tali auxilio, defensoribus istis*," that his cause is to be supported? As well might they have rested their defence on the fable of the Wolf and the Lamb. The principles of justice are not more glaringly violated in that memorable story; indeed, one must be struck with the exact resemblance of the cases. The wolf accuses the lamb of troubling the water of the rivulet at which they both drank; "how can that be," says the lamb, "seeing that the water runs from you to me." "Well then," says the wolf, "if it was not you, your father did it at such a time." "That could not be," says the other, "for my father was dead before the time you mention." "Oh! but," says the ravenous monster, "if it was not your father, it was your grandfather, and I must take my revenge on you; and so saying, he ate him up. Such, Sir, was the dispute and result in the case I now submit to the house. Gracious heaven! and are crimes so atrocious, so abhorrent from the common feelings of humanity, to remain unpunished by a British legislature. Let us put a case, coming still nearer to ourselves: — Suppose a minister of this country, having in his possession what he conceived proofs of treason against the parent of any one who hears me, should wait to bring those proofs till the death of the parent, and then inform his heir, that, if he will not give

give the king, his master, four-fifths, of his father's patrimony, he shall be despoiled of the whole; and, on the son's refusal either to brand his father's name with infamy, or to surrender his patrimony, proceed to put his threats into execution, what would be the general feeling of the country against such a monster? Would not the just indignation of the people, sacrifice him to their resentment, before he could obtain a trial? He would be torn piece-meal on his way to the tribunal, whose principles he had so glaringly violated. Are, then, the feelings of Britons lost or deadened by the distance at which the act is perpetrated? Do injustice or cruelty lose their horrors, or cease to excite our resentment, because the Atlantic intervenes?

Long, Sir, as I am sensible I have detained the House, yet there are two points more which I must notice before I sit down. The first relates to the charge against the nabob of the tuncaws, or assignments of the territories mortgaged to the company by the treaty of 1792. Sir, I have heard this stated as a forfeiture of the benefits of of that treaty. Suppose it was—then the treaty was at an end, and the parties might either have contracted a new engagement, or remained without any. But did we so consider it? Did we announce such to be our intention? Did we not, to the very day of the death of Omdut ul Omrah, receive the payment of the instalments under this treaty? Is it not then clear what was *our* view of this pretext, which we now advanced as a ground of forfeiture, not of the benefits of the treaty, or of our protection, but of the territories of our ally to us? Is there any thing in that treaty which says, that such was to be the consequence of the tuncaws being granted by the nabob? It was impossible there could be such an article. But there was a provision in the treaty which rendered it quite immaterial, whether tuncaws were granted or not; for, if the kists were not regularly paid, the districts were to be taken by us as mortgagees, and we were then to pay ourselves. Nay, in order to apprize the people of the Carnatic of the danger of their purchasing these tuncaws, we took care to publish this article of it. Is it, then, possible to suppose any one would deal in them? If they did, we could receive no injury thereby. But it is said, that the governors of Madras informed their masters that such *was* the case; and the company sent out orders to seize the districts. This is true; but it is no less so, that, inclined as they were, particularly so as Lord Hobart was, they never *did* seize them; this of itself was a proof of the falsehood of the allegation. The nabob positively denies it "*on the faith and honour of a sovereign.*" The regular payment of the kists for nine years, proves it still stronger; and the explanation of that, which they termed granting assignments or tuncaws, by the nabob himself, sets the matter wholly at rest. The other point relates to the assertion, or more properly the insinuation, that the nabobs of the Carnatic were not independent sovereigns. What do you mean by independent sovereigns? Do you mean that those only are independent princes, who can treat on terms of perfect equality with other sovereigns? If so, what were Austria, what Prussia, Naples, and other powers, when they treated with

with France, at whose feet they were? Yet, who considered them in the light of sovereigns, with whom treaties imposed no reciprocal obligations? But, in this case, if the dependency was on either side, it was on *ours*. From the nabob did we receive the jaghire I have before-mentioned; it was a fief which enjoined military services, and inferred subjection in the party receiving it; for, however, the transaction was attended with something like demand, it was accepted by us as a grant. True, indeed, Sir, we had made him dependent on us, and by influence and artifice had persuaded him to disband his armies, and to confide in us for defence against our mutual enemies.

Sir, I am too well aware that I have been compelled, from the importance and extent of the subject, to trespass very long on the attention of the House; but if I had not anticipated many of the objections which I know will be made, and replied to many of the arguments which, I presume, will be advanced in justification of this act, gentlemen, who only heard them from my opponents, would consider them a satisfactory answer to my charge.

Sir, in the resolutions which I shall feel it my duty to submit to the house, I shall merely observe, that the greater part contain a statement of historical facts, and (as I presume) incontrovertible inferences, necessary to enable us to form an impartial judgment on the charge I have adduced; others contain a direct charge against the persons at the head of the government in India; and the last proposes, that this house should forthwith go into a committee, not only for the purpose of examining into the proof of the allegations, but what I conceive, in a national view, to be of much more importance, to consider what reparation British justice requires for its outraged character, and what British interests demand for their future preservation in India. I pledge myself, Sir, to the House, to prove every statement I have made. Give me the committee, and the most partial of the noble lord's friends, will not have to accuse me that this charge is brought on slender or untenable grounds. If they refuse me the committee, what will the public think? Will they not naturally conclude, that they dread the investigation?—that they fear the result?—It is impossible that they should think otherwise.

Before I sit down, let me conjure the house, as they regard the national honour and faith; let me conjure ministers, as peculiarly the guardians of the national character; let me intreat every man who hears me, in the name of those sacred principles of justice, eternal, immutable, universal, the great and valued gift of God to man—the foundation of his happiness here and hereafter, to pause before he gives his vote from personal attachment, or political connection, not rashly to decide on a question which involves not only the honour and character, but the future interests, of our government in India. It is plain, that the native princes can have no attachment to us; they have experienced from us nothing but tyranny, injustice, and oppression. If 10,000 Europeans were to enter India, I am persuaded our empire there would be shaken to its centre. The Mahrattas, the peishwah, the nizam, the nabob of Oude, every prince, who in his turn

turn has been robbed by us of part of his territories, or whose independence has been outraged by our interference, would, in such a case, unite against us. Ours is the government of the sword only, that may be destroyed by the sword. Look at our situation in the Doab, where Doondeah, a petty zemindar, is actually setting at defiance our efforts to subdue him. Sir, there is only one way to establish our power in India on those bases which will give us real security. Let us substitute for injustice and oppression, honour and moderation; let us strive to win the hearts, not to subjugate the persons, of the native princes; let us return to the system pursued and inculcated by Lord Cornwallis, even up to the moment when death robbed us of his valuable services; a system comprised in a very narrow compass — *justice and good faith.* With such a system we may preserve India; without it, I am satisfied we shall lose it. In the one case, the British government will be a blessing to the natives; in the other, a curse.

Sir, I shall trespass no longer, but move the following resolutions:

Resolved, 1. "That it appears to this house, that Mahomed Ali, otherwise called Wallah Jah, nabob of the Carnatic, was an ally of the East India Company, and under a vicissitude of fortunes, attendant on the introduction of the British power in India, adhered to the British cause, when it was endangered by the contending interests and arms of France; that under a just sense of the services so rendered by Mahomed Ali, and with the especial view to prevent all future controversy with respect to the succession to that kingdom, an acknowledgment of the right in the person of the nabob, Mahomed Ali, and in his heirs and successors for ever, was procured in the treaty concluded at Paris in the year 1763, and formerly recognized therein by the powers of England and France.— That at various times since, the East India Company have entered into divers agreements and treaties, through their governments in India, with Mahomed Ali, under the character and title of nabob of Arcot, or of the Carnatic, for the express purpose, and with the avowed intent, of defending, jointly with their own, the title and rights of the said nabob; and especially in two treaties concluded in the years 1787 and 1792, the latter of which purports to be a treaty executed on behalf of the East India Company, their heirs and successors, and to be mutually binding as well on them as on his highness the nabob Mahomed Ali, and his successor, his eldest son Omdut ul Omrah, and his heirs and successors; that such treaty of 1792 remained in force, and as such, obligatory on the contracting parties, at the death of the said Mahomed Ali, which happened in the year 1796, who at his death was succeeded by his said son Omdut ul Omrah.—That the said Omdut ul Omrah died in the month of July, 1801, without any alteration or modification of the said treaty having been made in his lifetime.

2. "That it appears to this house, that the said nabob Omdut ul Omrah made a will, or testamentary writing, by which he appointed his son, the prince Ali Hussein, Tag ul Omrah, &c. his heir and successor, in the dominions of the Carnatic. An instrument which is admitted by the British government in India, to have been competently executed, and in form, dispositon, and principle, consonant to the Mahomedan law. That by such will the said prince Ali, Hussein, became, on succeeding to the rights of his father, a party to the treaty of 1792, which expressly included the heirs and successors of the said Omdut ul Omrah, and in virtue thereof entitled to the benefits, and bound to the observance, of all the terms and conditions of such treaty. That the said prince Ali Hussein, on his succession, professed his readiness and determination, strictly to fulfil all the obligations of the said treaty,

treaty, and required the fulfilment of the correspondent obligations by the government of India.

3. "That it appears to this house, that the government of Madras, acting under the authority of instructions from the Marquis Wellesley, the governor general of India, refused to admit the said prince, Ali Hussein, to succeed to the musnud of the Carnatic, in virtue of the will of his father, the late nabob, and of the said treaty of 1792, unless he would previously consent to an ignominous and disgraceful surrender of all his rights in the territorial possessions of the Carnatic, and accept in lieu thereof an indefinite sum as a bounty or gratuity from the company; and on the steady and dignified refusal of the said prince to acceede to this unworthy and humiliating proposition, his succession was set aside, and another more distant branch of the family of Mahomed Ali, namely, Azeem ul Dowlah, was placed on the throne of the Carnatic, on his acceptance of the above disgraceful and servile conditions.

4. "That it appears to this house, that the said Azeem ul Dowlah was raised to the musnud of the Carnatic in the room of, and through the disinherison of, the lawful successor, prince Ali Hussein;—that the injustice and tyranny of the act was not more disgraceful to the British name and character, than the unfounded pretext by which it is attempted to be justified, inasmuch as the pretended treason of the said nabobs, Mahomed Ali and Omdut ul Omrah, on which the assumption of the Carnatic was founded, although alleged to have been discovered two years preceding the death of the latter prince, was never brought forward during his life, and could by no possible construction affect the right of the said Ali Hussein, the innocent and unoffending successor of the said nabob. This house, therefore, is of opinion, that the British power in India, intrusted to the Marquis Wellesley, has, in this instance, been employed by him wantonly and unjustly, to deprive the lawful heir to the Carnatic of his undoubted rights, contrary to every principle of justice and equity, in violation of the sacred faith of treaties, and to the degradation of the British name and character in India.

5. "That it appears to this house, that the person of the prince Ali Hussein, the rightful nabob of Arcot, was committed to the custody of the said Azeem ul Dowlah, who had, through the undue exercise of the power of the Company, usurped his dominions; that the said prince Ali Hussein, notwithstanding the frequent remonstrances and representations made to the British government by himself and others, of the humiliating and degrading state to which he and his family were reduced by such confinement—notwithstanding his representations of the imminent danger to his life, which he anticipated from being placed in the power of his enemy, and the usurper of his throne, was suffered to continue in such custody until the 6th of April, 1802, when he died.

6. Resolved, "That policy as well as justice loudly demands the vindication of the character of Great Britain in India, from the reproach of the above transactions; and that the interests, if not the preservation of our empire there, calls for some public act, which will convince the native princes, that a religious adherence to its engagements, will, in future, characterize the British government. Consistently with these sentiments, and at a time when our implacable enemy attempts to justify his atrocities and despotism in Europe by the example of our conduct in India, it is peculiarly incumbent on the house, in the name of the people of England, to declare openly to the world, that the British parliament never did, nor will countenance any act of oppression and injustice in its Indian government. And as evidence of its sincerity, this house resolves forthwith to appoint a committee to inquire into the before-mentioned act of the assumption of the Carnatic—the alleged motives thereof—and into the particulars of the treatment of the family of our late ally, the nabob Mahomed Ali, and of the prince Ali Hussein, the lawful successor to the musnud of the Carnatic; and that it be an instruction to the said committee, to inquire into, and to report whether any and what reparation can, or ought, to be made to the said family, for the injuries they have sustained by the usurpation of the said

said Azeem 'ul Dowlah; and that they may further report their opinion by what means the British character can be most effectually rescued from the obloquy and odium incurred from the above conduct of its servants; and how the British interests in India may be best secured from injury thereby."

The question upon the first resolution being put from the chair,

Mr. WALLACE rose, and began by saying—In offering myself to your attention, Mr. Speaker, for the purpose of objecting to the resolutions proposed, and taking a view of the event to which they relate, essentially differing from that stated by the hon. baronet who has just set down, I may be permitted to express some degree of surprise, arising from the period at which this subject is now submitted to the consideration of the house. If the transaction in question be of the nature described in the speech we have just heard, if the epithets of foul and atrocious, which have been repeatedly applied to it, have been justly applied, it does indeed, as vitally as it is said to do, involve the faith, the justice, and the character of the country; if it is not brought forward rather for the distinction of an individual, than as a necessary vindication of the national honour; it is surely matter of just astonishment, that it should not be till after the sixth year from the time it was first brought under the notice of this house,—that it should not be till after every document elucidating it has been printed and re-printed for the consideration of three successive parliaments, that we are at length arrived at this long-looked-for discussion. I do not mean to accuse the hon. baronet: it is only for a comparatively short part of that period he has had a seat in this House; and I must do him the justice to say, that since he has undertaken the business, I am not aware of its having been delayed a single hour on the ground of his personal convenience. But, if there are those who concur in his impressions, who are prepared to manifest that concurrence by their votes this night, and who have enjoyed opportunities which he has not possessed, of appealing to the judgment of parliament—it will become them, nay, Sir, they owe it to themselves, to this house, and to their country, to repel, if they can, the charge of such a dereliction of their public duty, as irresistibly results from their having endured, for so long a period, a stain so foul to disgrace the British name; from having left the national faith and justice, six long years, wounded, impeached, dishonoured, and, as far as depended on *their* efforts, wholly unredressed.

Late as it is, it must still be a matter of satisfaction, as well to the noble lord against whom the Resolutions are principally directed, as to all who, either from personal or public motives, feel an interest in the subject of them, that the accusation is finally before the house; and I trust that the decision of this night (not such as anticipated by the hon. baronet, but one more consistent with substantial justice) will set this question at rest for ever; that it will not be suffered to continue suspended over our heads, or furnish, any longer, against the noble lord and our counsels in India, a vehicle for every species of libel and calumny, that ingenuity, disappointment, and revenge, can devise or propagate.

That a measure of the description of this now under our consideration should not excite clamour and hostility in some quarters, would have been contrary to every rational probability and expectation. No man, who knows what has

has been passing in that part of India for the last thirty or forty years, the corruptions, the abuses, the iniquities, that have prevailed there, but must have foreseen that a measure calculated to eradicate those corruptions, to frustrate the hopes of avarice, to blight for ever the harvest of plunder and extortion, would have to encounter a host of foes, and be assailed by detraction in every form. But to me, Sir, and I trust equally to the House, such enmity is, in fact, its best recommendation; it is a proof that it has effectually accomplished one of its most important objects; an object dear to the interests of humanity, and the happiness of millions, by destroying a system the most baneful that ever existed; to which not your resources only, but the country itself, and its inhabitants in all their gradations, were the victims; which degraded the prince, which impoverished the landholder, which oppressed the peasant, which drove labour from the field, and industry from the loom, which depopulated the provinces, and spread desolation and misery over the whole face of the land.

But much, Sir, as humanity, much as policy might be interested in the extinction of such a system, had they been the *only* grounds of the great measure adopted, however convinced I might have been of the soundness and the validity of each of them, I will readily own I should have thought the justification they furnished incomplete and unsatisfactory. I am too well aware of the danger of such alleged principles of action, and the abuse to which they directly tend: it is not on these grounds that a pretence of right is founded; it is on the violation of every tie of public faith, gratitude, and friendship; on the contempt of the most solemn engagements and binding duties of alliance, connected with a sympathetic conduct of unequivocal hostility on the part of the nabobs of the Carnatic, supported by facts no man can deny, established by inferences no man can dispute, that the rights we asserted rest; and that this measure was embraced by those to whom the care of the British interest in the East was delegated, and whose first duty it was to maintain and protect them.

The speech of the honourable baronet, and the resolutions, convey but a very imperfect outline of the transaction before us: from the documents on your table alone can the real nature and character of it be collected. From them it will appear, that, owing to the perfidious and hostile conduct of the successive nabobs, Wallah Jah and Omdut ul Omrah, it became the right, and was consequently the duty, of the British government to provide for the security of its interests, as connected with the Carnatic; the intended exercise of this right having been evaded by the death of the latter, and not acceded to on the part of his natural heir, Ali Hussein, the usual course of succession was changed, and another prince of the same family raised, by our power, to the throne. The considerations arising out of this statement obviously divide themselves into—the rights we possessed; the duty of exercising those rights, in the manner and to the extent in which they were exercised; and, lastly, the circumstances with which the exercise of them was attended.

Before, however, I proceed to discuss the points I have adverted to,

to, I feel myself under the necessity of detaining you for a few moments, to refer to the state and origin of our political connection with the nabobs of the Carnatic, because I am desirous of correcting some impressions on that subject, which the honourable baronet's speech seemed calculated to convey.

Those who are acquainted with the history of India, know that the family of Wallah Jah had no hereditary claim to the situation of nabob of the Carnatic; that the way to the musnud was opened to Anwar u Dien, his father by the means of two assassinations, of which he was not supposed to be wholly innocent. This prince afterwards sunk under the united arms of the French, and the soubah of the Deccan, and fell at the battle of Amboor, where his eldest son was, at the same time, made a prisoner, while his second son, Mahomed Ali, (known subsequently by the name of Wallah Jah) fled, stripped of every thing, to the fortress of Trichinopoly; a new nabob was immediately appointed by the victorious party, and the fortunes of the house of Anwar u Dien seemed to be for ever extinguished. In vain did Mahomed Ali proclaim his pretended title to the succession; in vain implore the friendship of the French, by whom his rival was avowedly supported. His last resource was to solicit the protection of the British government. Fortunately for him, our situation at that moment, and the necessity of preserving our own existence in the peninsula, forced upon us that of resisting the increasing power and ambitious projects of France. We extended to him, therefore, the protection he solicited; and how we performed our part need not now be told. After an arduous and glorious contest, success crowned the British arms, and the consequence of that success placed Mahomed Ali on the musnud. Having thus raised him from the dust, and, in an evil hour, given him the possession of a great and flourishing kingdom; having procured the recognition of his title both in India and in Europe; it is not easy to conceive what services he could render that were more than adequate to those he had received. Less than fidelity and attachment to the power which had retrieved the fortunes, and revived the splendor and power of his house; less than a fair participation in the resources of the country, gained by our arms, to the extent which might be necessary to maintain the common interest of its defence, we could not, in justice to ourselves demand, and more we did not claim.

This, Sir, is the language of all the treaties concluded with this prince; and these the conditions of all his claims to the support which he invariably experienced from the British power.

It is not my intention to enter into any details relative to what has passed during the connexion which has so long subsisted; or to give you a history of the intrigues, the corruptions, the impatience of our power, the struggles for independence, and the unprincipled ambition, which have been exhibited on the part of the nabob; neither do I mean to detail the instances of his faithlessness to all his engagements, which have, in every war in which we have been engaged, embarrassed the progress of our arms, and more than once brought our affairs to the very verge of ruin; but I shall come at

at once to what bears more directly upon the subject of our discussion; I mean the treaty concluded by Sir Archibald Campbell in the year 1787.---That treaty was in part pecuniary, and in part political: it provided an annual sum for the discharge of the nabob's debts, and for a large military subsidy, for which it appointed a landed security; and it precluded him from entering into any political negotiatious or controversies with any state or power, without the consent or approbation of the president in council of Fort St. George.

The alleged distresses of the nabob, and the difficulties he professed to feel in fulfilling his pecuniary engagements, induced Lord Cornwallis to consent to a revision of this treaty; and, in consequence of that revision, a new treaty was concluded in 1792, between the British government in India and Mahomed Ali, known by the name of Lord Cornwallis's treaty. By this engagement the nabob was relieved from a large proportion of the burden of his payments, and his son, Omdut ul Omrah, was acknowledged as his successor. For this modification of our rights,—for this relief of the nabob,—what was our compensation? A recognized power of assuming the civil and military administration in time of war, which we had before really possessed, and practically exercised; a security supposed more efficient, for the regular and permanent discharge of the military subsidy; and a renewal, in more precise terms, of the article precluding all political correspondence between the nabobs of the Carnatic and foreign powers, without the knowledge of the British government. This treaty, exhibiting on our part nothing but consideration for the situation and feelings of the nabob, and giving us additional claims to his attachment and gratitude, was scarcely concluded, before it was basely violated, not in its letter merely, but in its vital spirit and fundamental principle While it was yet actually negotiating, the nabob will be found to have commenced a correspondence, not with an allied or friendly power, but with Tippoo Sultaun, the sworn enemy of the British nation, with whom peace was only a preparation for war, and the undisguised purpose of whose hostility was the total extirpation of our name from the peninsula of India. With this man did the nabobs, Wallah Jah and Omdut ul Omrah (both parties to the treaty of 1792) while the ink was yet wet with which they signed their engagements to be faithful to us; in contempt of that solemn tie—in defiance of every condition by which their power was enjoyed; with this man did they solicit communion and correspondence; to his projects did they become accessaries, and for his successes did the aged Wallah Jah (as he tells us) weary heaven with petitions! Successes which could only be obtained by our loss, and triumphs which could arise only from our humiliations and defeats!

What rights such perfidy, when detected, confers, I shall discuss presently.—The first question is, Whether there is sufficient proof in the documents before the house to establish the charge?

I remember, Sir, a right hon. gentleman, (Mr. Sheridan) who formerly called our attention to the subject of the present discussion, and on whose powerful aid the hon. baronet has told us he places his

his chief reliance in this day's conflict, when addressing you on one of the preliminary discussions relative to the production of papers, implored the house to weigh well the delicacy of the situation in which it stood, in coming to the consideration of this transaction. Who, he asked, was the accuser? —The British government. Who the judge?—The British government. To whom accrued the benefit of the conviction?—The British government. This, Sir, is true; and I hope that, with these impressions, and with an honest wish to decide without prejudice, I entered upon the consideration of it. I know not what credit I may have with the hon. gentleman, when I declare the result of that consideration to have been, a conscientious conviction that the charge against the nabobs was substantiated. I do not mean that the evidence is such as the strict accuracy of a British court of justice might require; but that there arises from it that degree of presumption on which nations have universally acted, and on which nations must act, if they have any regard for their safety. The evidence is of two kinds—partly to be found in the correspondence, and partly in the conduct, of the nabob. The first part I shall consider is the correspondence.

After the fall of Seringapatam, it is known that all the papers of the sultaun fell into the hands of the British government. In these papers were discovered the various negotiations in which he had been engaged with different powers, and amongst them, a correspondence implicating the nabobs Wallah Jah and Omdut ul Omrah, carried on through the vakeels who attended the sons of Tippoo when hostages at Madras, for the performance of the conditions of peace, in 1792.

Of the authenticity of these papers, the hon. baronet has not ventured to express much doubt. In fact, Sir, they are so recognized by the evidence of the vakeels themselves, through whom the communications passed, that it is not necessary to rest on the circumstance of their transmission by the governor-general, whose authority, independent of that circumstance, I would not condescend to balance against the supposition of the khans, that, it was possible, they might have been introduced among Tippoo's papers by enemies of the nabob Omdut ul Omrah.

Assuming, then, their authenticity, they prove, in the first instance, that a correspondence *was* carried on between Tippoo Sultaun and the nabobs of the Carnatic, through a secret and unavowed channel.

Fully am I aware of the spirit of intrigue prevailing among the princes of India; and I admit that a correspondence, which, in Europe, would infer a violation of every tie of honour and good faith, may not, in the native courts, be always liable to such an imputation; but, to that I must answer, that the British government was known to act on other principles; that it was known to apprehend danger from such correspondence; that it had anxiously precluded them in two successive treaties; and that the nabobs had every reason to be sufficiently conscious of the interpretation we should put upon, and the indignation we should feel, at the discovery of such clandestine intercourse.

The first observation, then, that presents itself, is, that any correspondence

pondence between the parties in question was at least a ground of grave suspicion. Next, that a correspondence carried on in defiance of the warnings arising out of the treaties, and with a certainty of the feelings that would be excited by the detection of it, could not be one of idle form or empty compliment; that it must have had distinct objects, and objects of an interest commensurate to the risk incurred; objects which demanded secrecy, and rendered the precautions resorted to not superfluous; that this correspondence must therefore have been of a nature not less important in itself than inconsistent with the relations of good faith, common interest, and friendly connection, in which the nabobs stood towards the British government. Such, I say, would be the inference, from the very existence of a secret correspondence between parties so circumstanced as the nabobs and Tippoo Sultaun.—The one, our ally, united to us by every tie that can be supposed binding on man; the other, instigated by the most inveterate hate, and in the very act of meditating, if not preparing, hostilities against us.

If this inference be a just one, the object of enquiry is, next, whether there is any thing in the contents of the papers themselves to invalidate or destroy it; or whether they are not (as I think they will be found to be, when fairly examined) calculated to confirm and support it,—and when combined with subsequent events, to establish it beyond the possibility of refutation?

The hon. baronet has objected to these papers as being extracts. It is true, Sir, they are so; but that they are fairly taken—To the general truth of what is related (though the expressions of personal regard may be, as indeed they are said to be, occasionally heightened) the very situations in which the vakeels stood, bear, as well as their subsequent examinations, ample testimony. It is scarcely possible to imagine a statement, generally speaking, more to be relied on, than one made by ministers without any visible interest to deceive, intended for the guidance of their sovereign's conduct, and of a sovereign too of the character of the sultaun, whose vigilance would probably have detected, and whose arbitrary and cruel disposition would have led him to punish, any material deviation from the truth, with the last and most exemplary severity.

But to come to the papers themselves.—It is with regret I feel that the hon. baronet's speech has imposed upon me the necessity of entering into a detail that may be fatiguing to the house; but I can assure gentlemen that I shall detain them no longer than may be absolutely requisite to do justice to the cause I am supporting, and will call their attention to those points only which appear to me most important in directing our judgment, and which are generally confirmed by the concurring testimony of the witnesses examined at Vellore.

The first paper with which this singular correspondence commences, relates to two separate conversations which appear to have taken place between the nabob Wallah Jah, and the vakeells of Tippoo, on the 1[illegible]th and 13th of June, 1792. It should seem, that from the events that had taken place in the course of the last years, the nabob entertained some doubts of the

the manner in which his proposition might be received, and that some management was requisite in the introduction of it; he therefore begins by an address to the ruling passion of Tippoo's mind —his bigotry and ambition to be universally considered as the chief pillar and champion of the Mahomedan faith. In this character the nabob directs his address to him, and follows up his expressions of attachment to the faith, and to him the protector of it, by reprobating, as a confederacy formed for the subversion of religion, the war recently concluded; a war (if ever there was one), strictly just and defensive on our part, and deriving its origin from the unwarrantable aggressions of the enemy. Then, after adverting to the events of former hostility as past recal, the nabob declares his desire to establish a cordial harmony with the sultaun, and earnestly solicits the vakeels to forward his purpose, as pregnant with great and numberless benefits to both parties. Thus, Sir, is laid the foundation of this extraordinary correspondence, an intercourse between the nabobs and the sultaun.

The subsequent conversation is said to have passed in the presence of Lord Cornwallis. His expressions of attachment to Tippoo—his dislike of the war—are both expressed indeed, but expressed in more guarded terms. The circumstance, however, to which I particularly wish to call your attention in the conversation, is this, that not one syllable is breathed which indicates the connection he had proposed in the former one. If, as it has been pretended, this was perfectly innocent,—if he was acting only in conformity to the wishes of lord Cornwallis, and this connection was held out merely to conciliate the sultaun, without any serious intention attached to it, why this difference? why the suppression of all mention of *that* which, if known, could, on these suppositions, be known only to his advantage?

The next letter on which I wish to fix your attention appears marked No. 4. In this also a conversation is related between the nabob Wallah Jah and the vakeels, in which the former, after again connecting the sultaun with the cause and maintenance of religion, and praying to God to preserve him victorious and triumphant, is represented as adverting to his former conversation, and the proposition he had offered, and inquiring if the vakeels had communicated it to the sultaun, and had received a *favourable* answer. They replied, they had communicated it; and then proceeded to convey the answer with which they were charged, and which amounts to a ready acceptance of the proposition, on the ground of that friendship which ought to subsist amongst the professors of the Mahomedan faith.

It is at least manifest from this letter, that the nabob attached an interpretation not quite consistent with barren compliment, to the proposition which he had hazarded. Had he felt that it was in the common course of complimentary intercourse between princes; had he felt that in that light the sultaun would have received and interpreted it, why this solicitude for an answer, which, in its nature, could be nothing but an echo of his own idle and empty compliment? The following letter still more confirms my inference, and shows that in the mind of Tippoo,

no more than in that of the nabob, was the proposition in question considered as mere unsubstantial illusion.

This is a letter from Tippoo Sultaun to his ministers, expressive of his sense of the friendship of the nabob, and the kindness shewn to his sons, with the strong intimation of his hope, that the nabob would do whatever may tend to the support of the religion of Mahomed.

What precise expectation this is intended to convey is beyond my power to ascertain with distinctness; but the nature of the services looked for may be, in some slight degree, conjectured, as well from what is deemed generally necessary to the support of the cause of the Mahomedan faith,—namely, the co-operation of all Mussulmans for the destruction of infidels, as from the known views and sentiments of the sultaun, and the services we shall find hereafter to have been actually rendered to him by the *unquestionable fidelity* of this our ancient and trusty ally.

Notwithstanding the contempt with which the worthy baronet has affected to treat the correspondence generally, he has vouchsafed, not without reason, to honour the next paper with a considerable portion of his attention, and laboured, if not successfully, certainly zealously, to destroy the effect which such a paper cannot fail to produce. It professes to be the key to a cypher—it bears the strongest internal evidence of having been contrived for a correspondence embracing political subjects, and is authenticated by the signature of Omdut ul Omrah himself.

Ali Rheza Khan, one of the vakeels, gives you the history and intention of it. He is asked if he ever saw the paper? he says, "I have; it was instituted by Wallah Jah for the purposes of secret communication, and the original, I believe, is written in pencil by Khader Nawaz, or some person about the nabob Wallah Jah." He says afterwards, "To my knowledge it was never brought into use, it having been intended for use after the departure of the hostages, in case of necessity."—Again, "It was delivered to Gholaum Ali Khan by Khader Nawaz Khan, and to me at my departure (to Seringapatam) by Gholaum Ali Khan, who told me it had been composed for communication between Tippoo Sultaun, and the nabobs Wallah Jah and Omdut ul Omrah. That a copy should be given to Tippoo, and the original brought back to Madras. Tippoo Sultaun, however, kept the original."

No one will feel surprise that some pains should be taken to discredit and invalidate this fatal document; but till the ingenuity or eloquence of the honouroble gentleman can erase the contents of it, till he can rail away the signature that authenticates it,* or completely pervert the course of human understanding, here it remains, and will ever remain, an irrefragable testimony of the faithlessness and duplicity of which it was devised to be the instrument. In his endeavours to throw discredit on this document, the honourable baronet has resorted to the observation of the key and the cypher being upon the same paper.

* It is to be observed, that there is no signature to the alleged cypher. There is an error in this particular.

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The very mode, Sir, of its transmission, in the course of which it was to pass only through the most confidential hands, may sufficiently account for this circumstance. It is said, too, to be so awkward and ill-contrived, that it never could answer the purposes of secrecy. Be it so; be it as wanting in ingenuity as it will. What is its ingenuity to the purpose? Ingenious, or otherwise, it is still a cypher; and no cypher is instituted except with the intention of concealing what is supposed to require concealment.

Were the evidence drawn from written papers confined to this document, coupled with the details already adverted to, and combined with subsequent circumstances, I should think it far from inconsiderable. Had we no more than this, I say, it would warrant, not simply a suspicion of the most faithless designs, but would amount, if not to a literal infraction of the subsisting treaty, at least to a virtual violation of the vital spirit of it, and justify the adoption of measures for the protection of our rights and interests in the Carnatic, from the injury to which they might be exposed by the infidelity or treachery of our ally.

About this period it appears that Ali Rheza Khan made a journey to Seringapatam. On this letter I shall not detain you with any remark, beyond calling the attention of the house to the journey adverted to, and the period at which it took place. I proceed, then, to the two which follow. They are from Tippoo to the nabobs Wallah Jah and Omdut ul Omrah: they contain little more than professions of regard, and merit observation only on account of the application of some of the designations in the cypher, as the *well-wisher of mankind* to the nabob Wallah Jah, the *distinguished in friendship*, to Ali Rheza Khan.

The harmony and union being thus Sir, established, the letter we now are to consider begins to display the fruits of it; to this I shall join No. 12, because the observations applicable to that immediately before me are, in a great degree, applicable to both.

Before I proceed to the contents of these two letters, I beg to be allowed to put it to every man who hears me, with what impressions he would learn, that a person who had received the most substantial benefits from this country, who, maintained by its bounty, and existing but by its protection, after soliciting and establishing a secret intercourse with a foreign power, had been detected in conveying to it intelligence, and suggesting councils for the government of its measures at a period too, when, though nominally at peace, it was known not only to entertain the most inveterate enmity toward us, but was suspected of actually preparing to give effect to that enmity? Suppose, for instance, that one under these circumstances had been detected, at any time, in writing to the French, or any foreign government actuated by feelings similar to those of France, in terms of this kind:—"The conduct you are pursuing excites suspicion—be more cautious—this is not the moment to commence hostilities with any prospect of advantage. There is now a minister who enjoys the confidence of the country—who is capable of calling out all its resources, and directing them against you with energy and success—wait a little—symptoms of a change in our councils manifest themselves,

themselves, and there appears the chance of a successor the very reverse of the minister I have described: when this change takes place, you may prosecute your hostile purposes without apprehension!" Is there a man who would not feel that such counsel must be intended for the benefit of the adverse power, and that it spoke the language, as it betrayed the heart, of an enemy and a traitor?

Having made this observation, I beg the attention of the house to the letters in question. They relate to two messages conveyed through Khader Nawaz Khan, a person enjoying a great share of the confidence of the nabobs of the Carnatic. Tippoo, as it seems, was endeavouring to excite and combine all the Indian powers against us; while in the prosecution of this object, the activity of his negotiations at Poonah alarmed the vigilance of the British resident, who immediately apprised the supreme government of his suspicions.—This comes to the knowledge of the nabob; and what is the conduct of our *faithful friend* on the occasion? He proceeds directly to communicate the intelligence he had received to the sultaun, advising him, at the same time, in the spirit of that cordiality by which they were united—to do what? to lay aside, no doubt, his hostile designs, to cultivate friendship, and preserve peace with the British power?—No, no, quite the reverse: the advice of this our incomparable ally, is of a very different complexion (in conformity, no doubt, to the British interests and the views of its government) it prudently suggests to the sultaun the policy of *suspending* his measures till the approaching departure of Lord Cornwallis should leave the field open to him, to act with safety and effect; and then, whatever might *be his highness's pleasure would be right and proper!* Such is the purport of the first message. The second contains also similar information and counsel, relative to the situation of the French at Pondicherry. Nothing is now, says the nabob, to be expected; and, following the impulse of his friendship towards the sultaun, he advises him, not as one should expect, to detach himself from his dangerous connection with the French, but to communicate with them less directly—to refrain, for the present, from open correspondence, and to confine his intercourse to verbal communication. To the nature of that intercourse we must, therefore, conclude the nabob to have been no stranger, and his suggestion the result only of his interest for its safe continuance, without interruption or observation from us; an intercourse doubtless most friendly to the British power! between parties such as Tippoo Sultaun and the French; how could it be otherwise?

Though the obvious connection of the two letters I have just commented upon, led me for a moment to pass the one that intervenes, I cannot consent to leave it entirely unnoticed; containing, as it does, a message from Omdut ul Omrah, in his own name, expressive of the most fervent attachment to the sultaun, followed by a promise, that, please God, at a proper time, *his fidelity should be manifest.* I notice it, first, because it shews how cordially Omdut ul Omrah acted, not merely as the minister of his father, but as a substantial party in this negotiation; and still more, because,

because, in this promise so given, will be found the key to his subsequent conduct: it will hereafter be seen, when the occasion did occur, how he remembered the pledge he had given, and redeemed it with but too faithful punctuality.

The secrecy, that is one of the striking characters of the whole transaction, now increases in an extraordinary degree. New precautions are devised; and the interviews with the vakeels (which had never been hitherto subject to any restriction) are covered by fictitious pretences, totally foreign to their real object.

The letter I next refer to, relates a meeting to which the vakeels were invited, under pretence of seeing a mosque, but for the real purpose of learning something of a secret nature, which the nabob Wallah Jah had long felt a wish to convey to them; the interview takes place in a tomb near the mosque, and a question is put to them by Omdut ul Omrah, whether they had full powers? Being satisfied on that head, he proceeds to deliver to them a message in the name of Wallah Jah: "That for a long time there had been, without a cause, a veil (or want of cordiality) between his highness and your majesty, which had been productive of injuries to both; but now that, by the favour of God, a system of harmony, such as is becoming among the professors of Islamism, had taken place, his highness confidently hoped from God, the prime cause of all, that the time past might be amply redeemed; that for his highness's own part, considering, from his heart, himself, his country, and his property, to belong to your majesty, he had made it a testamentary injunction to his children and family, taking God and his Holy Prophet to witness, to pray night and day for the pillar of faith (that is to say), your majesty, and to consider their prosperity and welfare as inseparably connected with your majesty; that we must ascertain your majesty's wishes on this head, in a manner satisfactory to both; and if your majesty should be, from your heart, solicitous of this proposed cordial harmony, his highness would, under the testimony of God and his prophet, detail to us his sentiments fully at the time of our departure, which, please God, would soon take place."

Without adverting to the marriage, which is said to have made at this meeting the subject of a separate conversation with Gholaum Ali, I must remark that, either there is a strange confusion in this message, or the words friendship, harmony, &c. must be understood in more than one meaning.

The following letter describes also a similar meeting in a garden, under an equally fictitious pretext, with this difference, that it was solicited on the part of the vakeels. Omdut ul Omrah is there stated to have conjured them not to commit to writing some expressions he used, saying, that he so expressed himself *out of regard to the faith, and his friendship towards the protector of it.* In the last paragraph of this letter it is mentioned that they had induced Omdut ul Omrah to lay the foundation of the connection by marriage. To those who refer to this letter it will be clear, from the manner in which the marriage is mentioned, that whatever was conveyed under the mysterious expressions that were not to be committed to writing, it had no reference or connection with the

marriage.

marriage. The marriage, if at all a subject of negotiation, was entrusted exclusively to Gholaum Ali Khan. It is stated that a negotiation for marriage is a matter of much delicacy among the Mahomedans, the nabob, therefore, would certainly not propose to treat on it with both the vakeels jointly. It appears, besides, that separate conversations took place between Omdut ul Omrah and Gholaum Ali Khan, at each of these meetings, said to be in relation to that subject; but we learn from the evidence of Gholaum Ali Khan, that what they were conjured not to commit to writing, was communicated to both. The short extract from a letter of the sultaun, too, is a confirmation of this argument, and seems to leave no question of the marriage and the subject of these confidential expressions to be totally distinct. He directs them to inform him of the expressions of Omdut ul Omrah, and *the thing you know of*, which is explained by the evidence always to mean the marriage. What then was the purport of these expressions? Ali Rheza says, it was confined to professions of attachment, and to information relative to the French. Now, Sir, it cannot be forgotten, that both these had been long before communicated and written, and could not, therefore, require that solemn injunction of secrecy that was imposed. We are thus reduced, I say, to the necessity of doing one of two things---either totally withdrawing our belief from Ali Rheza Khan's account of what passed; or, in admitting the truth of it, to admit that under the words, friendship, attachment, and regard, was veiled a sense little corresponding, in point of comprehension and effect, to that in which they are usually accepted.

The ceremony which is related in the ensuing letter, as having taken place under the immediate directions of the sultaun, in the Jaumah mosque, does not immediately involve either Wallah Jah or Omdut ul Omrah, as the younger branches of the family appear to have been alone present.

The delivery of the hostages, and the return of the vakeels to their master, took place in the interim between the date of this letter and that of the one which follows;—a letter, in some points of view, of considerable importance. It is addressed to Gholaum Ali, under the fictitious signature of Gholaum Hussein, but written in the hand of Omdut ul Omrah. The difficulty and danger of communication sufficiently accounts for the purport of it being so little detailed; but those who have attended to the preceding letters will easily trace in it a continuation of the former expressions of attachment, founded on the same basis, the maintenance of the Mahomedan faith, so well adapted, and so conciliating to the spirit to which they were addressed. Repeat this couplet, he says, on my part, to the sultaun:—

In the preservation of thy person is the perpetual permanence of the faith.

Let him not remain who wisheth not thy preservation.

How unlike is this to the coldness of the avowed letter of form, written on the same occasion,—namely, the marriages of two of the sons of Tippoo, and transmitted through the British government. "I have received," says the nabob, "your letter, informing me of the celebration of the wed-

weddings of Abdul Khaleh and Mohammed Moiz ud Deen, together with a dress and jewels, and I am made happy beyond measure by this agreeable intelligence; may the Almighty render this event happy." How impossible is it not to be struck with the marked difference of the sentiment of the couplet from the style of the letter I have just read; and why this difference? Why? but that one is intended to convey what the other is intended to conceal.

In the year 1795, the nabob Wallah Jah died, and Omdut ul Omrah succeeded to the musnud. An embassy, charged with the compliments usual on such occasions, was sent by the sultaun; the letters, No. 18 and 19, are from the ambassadors; but there is nothing related, except one long conversation about union and friendship, on which his highness is said to have expatiated with great warmth. It is, indeed, stated, that the vakeels employed on this occasion were not persons to whom a negotiation of much delicacy was likely to be entrusted: at the same time, we must observe, that the following letter from Omdut ul Omrah makes a reference to his communications with them, as if something had passed connected with the former intercourse. This letter is, like the other, marked with the fictitious name of Gholaum Hussein, and addressed to Gholaum Ali. The introduction of it is material only on account of the reference I have stated, and as it carries on the existence of the correspondence to so late a period preceding the Mysore war.

The impression of the nature of that reference is forcibly confirmed by the subsequent letter from Khader Nawaz Khan, the confidential minister before alluded to, whose name appears more than once as the channel of communication between the nabobs and the vakeels. Adverting in this to his previous services, he congratulates himself, and thanks the Almighty, that the system of harmony and union between *the two chosen of the Lord*, (meaning Tippoo Sultaun and Omdut ul Omrah) calculated to promote the happiness of God's people, and which his labours had been employed in establishing, had acquired the requisite degree of stability and firmness. The authenticity of this letter is fully supported by the oral testimony; nor is there any thing that has a tendency to invalidate the obvious inference resulting from it. It stands, then, as a convincing testimony, that whatever that mysterious and enigmatical connection, established under the name of union and harmony, really was, it was in force and operation up to the year 1797; that the same sentiments which impelled Omdut ul Omrah to participate in, and conduct the intercourse during the life-time of his father; the same supposed interests, the same attachment to the cause of the sultaun that had previously governed and animated his exertions, accompanied him, undiminished, to the throne, where he waited only for an opportunity favourable to his friendship, and an emergency, in which the fidelity he had solemnly promised could be manifested with effect.

On the degree of conviction resulting from these documents, much must depend. The inferences I have just deduced, the conclusions I have drawn, the impressions I have endeavoured to enforce, I must leave to the judgment of the House. I can only say,

say, that to mine they are decisive; and that each suspicion the existence of such a correspondence excites, appears to me to derive validity and confirmation from every step we advance in examining its contents. All the facts they discover are so far from being weakened by the oral evidence, (if, indeed, such evidence could weaken the authority of any written documents) that they are more distinctly corroborated and established. By what has been stated from the papers, as well as by the concurring testimony of the vakeels, it is proved, that a correspondence embracing political objects was carried on; that a connection, under the mysterious and indefinite terms of union and harmony, was proposed on the part of the nabobs of the Carnatic, and accepted by Tippoo Sultaun; that for the purpose of continuing their correspondence, when the departure of the hostages should remove the existing channel of it, a cypher was instituted; that in prosecution of this connection, assurances of fidelity had been given to Tippoo, and intelligence conveyed to him, accompanied with advice for the regulation of his conduct; that in these transactions the utmost precautions of secrecy had been deemed necessary, and the interviews held with the vakeels had been covered with fictitious pretences; and, lastly, that the connection, whatever it *precisely* was, (for of its nature little doubt can be entertained) actually subsisted in full force, integrity, and operation, in the year 1797.

It has been endeavoured to defend this correspondence, and to rescue it from the impressions, it is obviously calculated to produce, by an explanation resting in part on a connection of simple friendship, and in part on an alliance by marriage, at one time in agitation between the families of the sultaun and of the nabob Wallah Jah. On the fullest consideration of this explanation, I own I have found myself unable to accede to it: the difficulties it presents appear to me insurmountable. If it be possible to suppose a desire of mere friendship, without an object, between persons so situated in relation to each other; if Tippoo Sultaun and Wallah Jah were likely to feel the influence of a pure, disinterested, sentimental attachment; it is yet hardly probable, that a connection, on this ground, should have been solicited with so much earnestness and anxiety, as is manifested by the nabob in the first proposition of it, or an intercourse entered into by him at such mighty risks; nor is so innocent a view of the subject quite consistent with the secret meetings, the various precautions for concealment, the intelligence conveyed, and, above all, with the preparation and transmission of the cypher before adverted to. If, indeed, it is that union and friendship, which, as it is said, ought to bind together the Mussulman powers; if it meant to describe alliance and co-operation, mutual support and inexpiable hostility against those of a different persuasion, it may be nearer the fact, and remove these inconsistences I have stated; but if it does so remove them, it demonstrates, by their removal, the establishment of that sort of connection, which, no one can deny, was essentially repugnant to the spirit and sense of every engagement under which the nabob stood, and directly subversive of the interests and safety of the British empire in India.

But

But then there is the marriage! On the discordant accounts of the origin of that affair, as stated by the vakeels, I shall say nothing. I will admit that a marriage might be in agitation; but a marriage, if it be allowed to have made any part, on their own showing, can account for a very small part only of the communications that are related. It confessedly did not come into question till after the return of Ali Rheza from Seringapatam; but before he went there, it must be remembered that this union of harmony and friendship between the sultaun and the nabob, had been proposed, accepted, and established; and, for the purpose of continuing it, a cypher had been already transmitted, of which Ali Rheza Khan was actually the bearer. I need not say more to make it evident, than that neither the marriage on the one hand, nor simple friendship on the other, is sufficient to explain the species of connection thus established, to reconcile the difficulties, or to dissipate the suspicion and the obscurity in which it is involved.

It is affirmed by the Khans, and also in Ali Hussein's letter to his agents, that no correspondence was carried on by the nabobs contrary to their engagements: if a direct correspondence with Tippoo is meant, it may be literally true, and consistent with these papers, for they may be considered as an indirect, and not a direct, correspondence. But so despicable a subterfuge is not worth dwelling upon, or exposing. It is said, too, that all that was done, was done in conformity with the wishes of lord Cornwallis, who was desirous of preserving peace, and conciliating, if possible, the irritated and vindictive feelings of the sultaun. That this correspondence should have been carried on, with any knowledge or approbation of the governor-general, I venture to pronounce absolutely impossible.—Whatever the policy and wishes of lord Cornwallis might be with respect to Tippoo Sultaun, that he should encourage a separate correspondence between this prince and the nabob, at the very time he was changing the expressions of the former treaty of 1787, for the very purpose of more completely and effectually precluding any such intercourse, is, I say, absolutely impossible in itself, as it is inconsistent with the counsel conveyed to the sultaun, in one of the letters above referred to, to pause in the prosecution of his hostile measures till the departure of lord Cornwallis to Europe. But, Sir, had the nabob felt this to be the case, had he felt that he was acting in support of British views, in alliance with British interests, why all this mystery? Why all these multiplied precautions to avoid detection? Why the cypher? Why the meetings under fictitious pretences? Why the hazards incident to all these proceedings? Why disguise *that*, which, if known, would have been praise-worthy, which breathed nothing but firm attachment, loyalty, and affection to the British power, and zeal for its service, under the mask of deceit, perfidy, and breach of faith? Is it, then, too much to assume that this could not be? that instead of holding a conduct so repugnant to common sense, and disgraceful to a rational being, the nabob *did* feel that his objects were of a nature to require concealment; that, if detected, they would have excited the utmost jealousy and indignation of the British government; that they

they would have brought his state and situation into jeopardy; and that they were, therefore, of a nature subversive of his alliance, and in violation of every obligation towards that power which had raised, supported, and protected him.—Admit this supposition, and every difficulty disappears, every contradiction vanishes, all is plain, simple, rational, and consistent. With this are consistent the prayers of Wallah Jah for the triumphs of Tippoo, and with this, the assurances of his son and successor, that when the occasion should arrive, his fidelity to him should be manifested; and, with this is consistent all the subsequent conduct of Omdut ul Omrah, when, in the course of the Mysore war, in his contemplation, the anticipated occasion *did* arrive; when the exigencies of our situation, when the success of the contest, and the safety of our empire, demanded every exertion, and every proof of his zeal and attachment! At that moment of pressure did he withhold his resources; at that moment did his officers impede the supplies of the army, in some cases resorted even to force to obstruct their passage; and at that moment did they create every embarrassment, and oppose every obstacle within the extent of their power, to the progress of our arms. In short, Sir, such was the conduct we experienced from this *faithful and devoted friend*, that, during the existence of hostilities, and long previous to the discovery at Seringapatam, the governor-general, as it appears, not only entertained suspicion, but repeatedly and pointedly declared, that the perverseness and disaffection displayed by the nabob, was reconcileable to nothing but a connection, or secret understanding, with the enemy.

It has been asked, what interest the nabob could have in such a conduct? I do not feel, Sir, that to infer the reality of the conduct, I am obliged to assign to it an object of sound and rational policy. It is too much to presume, after all that the times in which we live have exhibited, that projects may not be formed, and designs pursued, that are not warranted by a true and enlightened wisdom.

What beyond a general and mutual aid, as occasions might offer, were the precise expectations of Tippoo on the one hand, and of the nabob on the other, I will not detain you by an attempt to explain; on that the question does not turn, —and I venture to call, with some degree of confidence, upon the House, to consider well the case laid before them, and, after adverting to the relative situations of Tippoo Sultaun, and the nabobs of the Carnatic, one actually preparing war against us, the other our most intimate ally; looking at the correspondence itself, confirmed as it is by the oral testimony, in all its facts, with all the precautions for concealment that pervade and characterize it; recollecting the solemn pledge of the nabob Omdut ul Omrah, and the manner in which, when the occasion was presented by the exigencies of a war in which we were called on to defend the existence of our empire in India, that pledge was afterwards redeemed. Let any man, I say, consider these things, and pronounce, if he can, in the face of God and his country, a conscientious belief that the nabobs of the Carnatic were faithful to our cause, the duties of alliance, and their own engagements—that the charge

charge against them is without foundation---that the treaties by which they were bound were *not* violated---that a correspondence of a political nature was not carried on, and a conduct resulting from it pursued, hostile to the just rights, and affecting the security of the British empire in India.

If, sir, the conclusion I feel it my duty to draw, and, as it appears to my apprehension, the only just one that can be drawn from all that has been stated, is the direct reverse of this---The rights accruing from it to the British government become the next subject of enquiry and consideration.

The situation of the nabob may be considered in two points of view; one with reference to the original dependency of his station, under the Moghul constitution, and the opinion that, in releasing him from his allegiance to his natural superior, we only transferred that allegiance to ourselves, as well as with reference to the revertible condition on which he received the Dewanne, and the state of practical subjection in which he stood, controlled in his foreign relations, and indebted to us, both for the external defence, and internal security, of all he enjoyed---regarding him, in a word, as a mere feudatory of the British power.

In the other point of view, he may be considered as relying, indeed, upon us for his safety and protection, but possessing, nevertheless, the rights of an independent prince; rights deduced from the circumstance of the condition of his engagements which have been alluded to, having been, on his part, repeatedly infringed, and that infringement never having on ours been made a pretence for resuming what our friendship had conferred on him---from repeated treaties having been concluded with him, both subsequent to, and in contemplation of, these very breaches of engagement, and his having on these occasions, both treated, and been treated with, in the character of an independent prince. Thus it may be said, as far as related to us, though maintained by the power and protection of our government, he was invested with all the political and personal rights incident to real sovereignty and independence.

To this latter opinion I own myself inclined to accede, but I cannot admit that the treaty of 1763, alluded to in the Resolutions, has any bearing or effect in this question. The article in that treaty which alone mentions the nabob, was introduced for the sole purpose of terminating the disputed claims of Salabat Jung, and Mahomed Ali, in support of which, respectively, France and England had carried on the war in the peninsula of India. They therefore joined in recognizing, as far as *they* were concerned, the former as soubah of the Deccan, the latter as nabob of Arcot. What the powers and privileges of each were in their several situations, was a point left wholly untouched, and to be determined by the laws and usages of the Moghul empire.

The character, then, in which I am willing to consider the nabob, is that of an independent prince under the protection of the British power; nor have I a wish to insist on any right, or to appeal to any law in favour of what has been done by our Indian government, which might not be equally appealed to, and insisted upon, towards a prince who was exempted from all reliance on our friendship, either

either for his defence or security. All I ask, in return for this admission, is, that he may be considered in one only of these capacities, and that it may not be contended that he was at once entitled to the rights of a subject, and to the immunities of a sovereign,

It is superfluous to argue that the nabob Omdut ul Omrah was in conjunction with his father, a party to the treaty of 1792, not merely as his future successor, recognized in that treaty, but individually in his own name and person. He was, therefore, from the period of its conclusion, bound to the observance of all its stipulations; and had, in the same degree with his father, conveyed to us what is called a *perfect right* to the benefits they conferred. If, therefore, the obligation contracted was not fulfilled in both according to its tenor, we acquired, with respect to both, I apprehend, the right of enforcing it, if it was desirable it should be enforced; of compelling reparation for the violation of it, if reparation was deemed beneficial; or of avoiding the treaty altogether, if that should be most consistent with our views of expediency.

I trust, sir, I cannot be so much misconceived as to be supposed to contend, that every little failure in fulfilling the strict letter of a treaty, is to be a ground for resorting to the exercise of these rights---far from it. In my conception, the infringement must be not of the letter only, but of the spirit and intent of the engagement; that, too, in points not trivial, but essential and important. Such are the points that present themselves in the grant of assignments, confessedly made, although expressly prohibited, which involved both the violation of the treaty, and the destruction of the resources on which we depended: and also, in carrying on political correspondence with a foreign power, even destitute of any special aggravations. From infractions of this kind, there is no doubt, we should have derived a clear right to demand present reparation, and future security; and from the refusal of these demands, an unquestionable right of war would have accrued.

If it is not such infractions alone, but if, in addition to such infractions of the subsisting treaty, there be shown an association with a prince not simply unfriendly in his character, and opposite in his interests, but in the actual preparation of war, the object of which was our utter extirpation; if it be shown that this association betrayed itself, not only while war was in contemplation, but continued and operated, during the whole course of the hostilities that ensued; no one, I apprehend, will contend, that from the instant such an association existed, the respective parties did not assume the position of enemies, and that all the rights which a state of war can convey, did not accrue to the injured power; rights co-extensive with the demands of permanent and effectual security, and limited only by the great principles of humanity and justice.

The sudden irruption of the king of Prussia into Saxony, in the year 1756, in the midst of apparently profound peace, is a fact with which every one must be acquainted. What was his defence? he had reason to believe that Saxony participated with other powers in a confederacy for his destruction, and that this gave him the

the right of immediate war. On this right he acted; and though there were circumstances in the manner in which he conducted his measures, that excited clamour against him at the time, there is no man at this day, I believe, who does not admit, that the act of carrying war into Saxony was fully justified. Such, then, is the right towards a power wholly independent. What is the difference in respect to a dependent and protected one? It is this---that in the case of an independent power, our rights can only be realised through the medium of successful war;---in that of a protected one, we are already in a situation in which successful war would place us; but it will not be, therefore, contended that our rights are less,---it will not be contended that what, consistently with every law, may be justly pursued through all the hazards and calamities of war, we are forbid to attempt when those calamities are dissociated from the acquisition of it---that, the measures which it is our unquestionable right to take against a foreign foe, we may not, legitimately, resort to, against a traitor in our very bosom: the rights are the same, though the means of them are widely different.

If these principles are just, let them be applied to the case before us; and if gentlemen agree with me, in the conviction that the documents adduced, combined with subsequent circumstances, clearly prove a connection to have been established, on the part of the nabobs, with Tippoo Sultaun, at the very time he was meditating hostilities against us; and that, in prosecution of the purposes of this connection, he was not only furnished with intelligence and advice, but, during the contest in which our very existence was involved, Omdut ul Omrah adhered to his cause, and aided him to the extent of his power, by treacherously obstructing our supplies, and embarrassing the progress of our arms, they must feel also with me, that every engagement between us and Ali Hussein, was abrogated; and so abrogated as, at the same time, to constitute that case of injury, from which, according to the usages of nations, the rights of war legitimately result.

Had the detection of this correspondence occurred previous to the fall of Seringapatam; had we, during the actual existence of hostilities, discovered the course of infidelity by which the nabob was betraying our cause, and counteracting our measures; had we at once, in the moment of indignation, repaid his ingratitude and perfidy, by driving him from the throne, and assuming his country, where is the man that could have hesitated upon the justice of the act? But, Sir, neither did the discovery take place under these circumstances, nor, when it did take place, did the governor-general so act upon it; on the contrary, a period of time was suffered to elapse before he availed himself of any of the rights with which the disaffection of the nabobs had invested him. And this is supposed to create a new and different case! What real difference can be found in it, is beyond my comprehension ---but so it is contended; and being contended, I cannot pass it by without notice.---The right of war is one thing, and the exercise of that right is another; the principle of the first is justice, of the latter expediency. Every one can figure to himself situations in which

which a nation may stand, where rights of war, the most clear and incontrovertible, cannot be acted upon without the greatest hazard; and where the sense of the deepest injuries must be (as it often is), for the time, suppressed or dissembled; but are all the rights arising out of such injuries thus destroyed? or will it be asserted, that, in the event of a country possessing rights, unquestionably just, it can be placed in this dilemma, that it must either consent to abandon them entirely, or immediately to act upon them, at the imminent risk of its own destruction? Is it possible this can be so? and if not, the exercise of the right of war necessarily resolves itself into a question of pure expediency, which the circumstances of each individual case must govern. At the same time I am far from saying, that these rights are such as may be laid aside, and stored up for ages, to be resumed at any period that ambition or interest may dictate; if acted upon, they must be acted upon within certain restrictions, and free from the intervention of any acts of confidence and friendship which imply the relinquishment of every hostile intention. Mere delay, within given limits, cannot, I apprehend, be assumed as a ground on which alone to presume such a relinquishment; and what besides took place that could rationally afford the nabob grounds for a presumption, that the guilt of which he was conscious, and which he had reason to believe detected, would not be acted upon, I do not know. If any acts from whence such an inference could be drawn, did occur, I must confess my ignorance of them. The causes of the delay appear in the documents before you---they are to be found in the critical state of important negotiations with other powers, --- the condition of the neighbouring provinces, in which rebellion was raging,---the desire the governor-general naturally felt to investigate, fully, the particulars of the case,---and to receive an intimation, at least, of the feelings of those to whom he was responsible, before he proceeded to take the measures which the situation of the country, and the permanent safety of the interests it was his duty to guard, obviously demanded. These, Sir, were the considerations that, for a time, suspended the exercise of our rights; considerations which must, to every unbiassed mind (if the exercise be as I have stated it, a question of expediency), satisfactorily warrant the delay, without at all invalidating the right, and justify the final orders when given, to demand from Omdut ul Omrah, the security we ultimately obtained.

That security, it is said, however, was not, in point of fact, demanded from Omdut ul Omrah, but from his unoffending successor. Why was it not? At the moment when the order arrived, the nabob, who had been long in a state of declining health, appeared to be fast approaching to his final dissolution. Insensible and obdurate, indeed, must be the heart that cannot sympathise in the last hours of human existence. Not such an one was that of Lord Clive. He did feel all the compassion the situation of the nabob was calculated to inspire. He respected the inviolable privileges of a deathbed; and Omdut ul Omrah was permitted to close his eyes in peace, neither molested by accusation, nor

nor disquieted by the consequences of his perfidy and ingratitude. Can it be argued that rights so suspended were thereby extinguished? Was the conduct of a prince merely personal, this might be true,---and on this ground, I presume, it is stated, most unjustly stated, that the British government punished the innocent for the guilty.---I deny that punishment in any respect, however flagrantly provoked, was the object of the British government: its object, its sole object, was security for its own legitimate rights; security which the violation of those rights, and the perfidious and hostile conduct of the nabobs, had imposed on us the duty of enforcing, and the claim to which, according to the best principles of public law, applied as strongly to him who inherited, as to his guilty and faithless predecessor. "It is one of the first principles," says a distinguished authority on these subjects, "of general equity laid down by the writers on that law, that, an heir or successor, from the very circumstance of his possessing the inheritance, is not only bound for the engagements of the person whom he succeeds, *but cannot be discharged from the obligations to repair the damages which the deceased may have occasioned by his crimes or offences*; neither under the pretext that he derives no benefit from these crimes or offences, *nor because there may have been no accusation or condemnation against the deceased*."* It is a doctrine, as new, as contrary to reason, that the conduct of princes by whom states and nations are represented, should be considered as the acts of individuals, and perishing with them. As well might it be contended that the enmity and aggressions of Tippoo Saultaun were obliterated when he fell upon the walls of Seringapatam, and all our claims to reparation buried in his tomb; that nothing remained for us to do but to place his innocent son upon the vacant throne with the undiminished power and dominion of his father! If the principle applies to one case, it applies to the other. Our rights were the same in both: in the one, indeed, we were obliged to establish them by successful war; in the other, we had happily the power of securing them without a similar struggle.

The proposition offered to Ali Hussein has been adduced in confutation of this principle, and as an acknowledgment, on our part, of the right that devolved to him. A right to what? I do not enter into the question of his legitimacy—I am ready to allow him to be the legal heir of the late nabob Omdut ul Omrah. And what then? he could possess no further right by inheritance than that of assuming the situation his deceased father possessed, rendered subject, by the conduct of that father, to the claim of whatever might be necessary to the effectual security of the British interests. In fact, Sir, if the conduct of the nabobs was such as to place them in the situation of public enemies; if the rights of war, as it has been contended, justly attached upon them, every hereditary claim was extinguished, and the whole state was submitted to whatever disposition the security of our interests, and the prosperity of the country, might prescribe.

The principle of humanity, and consideration for the family of Arcot, which dictated the offer to Ali Hussein, presided also over the disposition that was finally made,

* Domat's Compendium of Civil and Public Law.

made, and limited it to the necessary objects that were to be attained and secured. What but this, and the recollection of our alliance with the nabobs of the Carnatic, subsisting almost from the first dawn of our political power in the peninsula?—What but the reluctance to expose to disgrace and humiliation those whom we had adopted as the partners of our fortune, and raised to sovereign dominion?---What but the generosity characteristic of the British nation, could have led us to forget that from the nabobs we had experienced little but faithlessness and ingratitude, and the people committed to their rule, nothing but misery and oppression?---What but these sentiments could have stifled our just resentments, under the accumulated injuries we had sustained, and produced the efforts that were made by our government, to obtain, by friendly negotiation, what, as a right, it might have at once confidently assumed? What but these, to continue to their families, as we have done, the enjoyment of all the affluence, dignity, and splendour, which belonged to their station, and to which they had ever been accustomed?

On the next point, relating to the manner in which our rights were exercised, and the duty of exercising them to the extent we did, I am happy to think that little doubt can be entertained; indeed, I shall be surprised if, in any part of this discussion, it should be contended, or at least contended by one acquainted with the state of the Carnatic, that any thing short of the transfer of the whole civil and military administration of the country to the British government, was capable of providing effectually for the rights we were bound to maintain, and for the prosperity of the long oppressed inhabitants of a country, which it now became equally our duty to watch over and protect. Though I do not admit the state of the Carnatic, deplorable as it might be, could form any ground on which to found a *right* to adopt the measure that has been resorted to, yet it can scarcely be denied, that when the circumstances of hostility and perfidy before stated, did place the whole country at our disposal, we became responsible for the effects of whatever dispositions we should make, and for the happiness of the people, no less than for our own security; from that moment, on our heads must naturally rest the odium of every abuse, injustice, and oppression, that was suffered to prevail, and, that it was in our power to avert. And was there even a possibility of averting them otherwise than by the complete transfer of the administration? Did not the state of things, and long experience, alike demonstrate that every hope of obviating the recurrence of the numberless evils with which the Carnatic was afflicted, founded on any other basis, was but visionary and delusive.

There are many gentlemen in the house, who, from local knowledge and personal observation, are much better able to detail to you, than I can be, the state and condition of that unhappy country. The documents themselves contain abundant and melancholy proofs of the sufferings of its inhabitants, under the operation of assignments made to those, who, having no interest or object but to repay themselves, with usury, the money they had advanced, let loose every species of cruelty and extortion in accomplishing it; nor less under the immediate managers appointed by

by the nabob, who seem to have been commissioned only to exhaust and ruin the provinces committed to their charge, and to whose uncontrolled rapacity, the insatiable wants of the sircar, delivered over, without remorse, an unprotected and unresisting people. For the first, I beg leave to refer to the sickening detail given by Lord Hobart, in one of the papers on the table, (it is too long to read, and it is scarcely possible to make selections) in which, after describing the progress of these transactions, through all their circumstances, and tracing a truly afflicting picture of the iniquity and barbarity that accompanied them, he concludes a part of his statement by observing, "After this exposition, no comment can be required to show, that this species of government, if it deserves the name of government, contains the most grievous oppression of the people, the certain impoverishment of the country, and, consequently, the inevitable decay of the revenue." In another passage, speaking of the effect of the system pursued, upon the resources, as connected with the state of the country, he says, "Whatever diminution (and it is considerable) in value, the security is gradually, though rapidly, sustaining, carries along with it the destruction of the human race, and the desolation of the country."

Mr. Wallace here quoted several authorities, from the letters of the Collector of Trichinopoly, of Sir E. Coote, Lord Macartney, and Lord Cornwallis, all tending to shew the distressed state of the Carnatic, and the mismanagement of the nabobs, and their public servants.

The state of the country was, indeed, deplorable; and it is with grief and shame I add, that our fellow-subjects appear to have had but too great a share in contributing to produce that state of things, and not less in rendering abortive every attempt to improve or correct it. With reference to this point, and also with a view to the condition of the country, the necessity, (if not of the precise change that took place) of a modification of our relations with the nabob, and a new and more effectual arrangement, in order to realize the objects of our connection with him, I adduce, as my last authority, one which will be certainly deemed disinterested, and to which I am persuaded some gentlemen will pay a degree of respect, they may be disposed to refuse to any other testimony that can be offered, I mean that of Omdut ûl Omrah himself, the purport of whose conversation with Lord Hobart, is given in his lordship's minute of the 24th of November, 1795, on the subject of the modification of the treaty of 1792, then proposed to him, of which I will take the liberty of reading the following extract:

"It has been with the deepest regret that I have found the nabob unmoved by my entreaties and remonstrances upon this subject; *not that he has been insensible to the justice and expediency of what I have proposed*; but, as he has candidly confessed at several interviews with me, that he has not the resolution to comply, informing me, that his native ministers, and *European advisers, so perplexed, plagued, and intimidated him, that he could not venture upon the measure, notwithstanding his conviction that he ought to do so.*"

Long experience, not less than the preceding authorities I have quoted, sufficiently pointed out the only change that could, in the nature

ture of things, prove successful. If it was our duty, then, to regard the preservation of our rights, and to fix the happiness of a people, whose fate was placed in our hands, could it be otherwise than our duty to enforce the transfer of the civil and military administration, as the only security for those rights, and the only remedy for the evils endured by the country?

The value and the benefits of a measure of this nature, have been long and universally felt, both at home and India. That they were so felt is not to be denied, nor do I desire to deny it. The feeling breathes through every part of the documents on the table. I am aware it may be argued, (as, indeed, it has been argued) that this feeling alone dictated the measure we are discussing. But, Sir, there are, happily, facts to be referred to, that amply refute such an accusation. Had the sense of advantage, independent of the principles of right and justice, been the governing spring of our conduct, why the long-permitted continuance of the miseries of the Carnatic under our eyes?---Why did the various attempts made by us to correct the inadequacy of our relations with the nabob, as successfully as they were perseveringly resisted, prove uniformly abortive?---Why the restoration of the country to the iron rule, which had so abused and oppressed it, in the several instances when under Lord Macartney and Lord Cornwallis, it came into our possession, and when policy spoke at least as decisively in favour of retaining it, as it could ever do afterwards for its acquisition. These are proofs that it was not to the suggestions of interest alone to which we listened. It was not till an occasion actually arrived, in which justice warranted the measure which policy recommended, that we availed ourselves, as I contend we were bound to do, of the means our power afforded, to effectuate an object too long unaccomplished.

I demand then, Sir, of the House ---I demand even of those who are most vehement in their condemnation of the transaction before us,---whether they would have found reason to applaud a governor-general, to whom the care of our interests was delegated, who had not availed himself of the contingency that arose; who, when the disposal of the country was submitted to his discretion, had relinquished our rights, had again put to hazard our resources, had deliberately revived the already experienced calamities of fluctuating and conflicting authorities, had restored that blasting and inhuman tyranny, which before subsisted, and again delivered over the inhabitants of the Carnatic to that system of slavery, extortion, barbarity, and oppression, which, to use the emphatic words of Lord Hobart, in diminishing our resources, carried with it the destruction of the human race, and the desolation of the country.

It is urged, however, that measures which, even in point of policy might be necessary towards a prince, whose misconduct we had experienced, were not equally so towards an innocent, unoffending, untried, young man. In a matter of personal consideration merely, the justice of this observation could not be disputed; but in determining our judgment of the propriety of the conduct pursued, we must look, not to the personal qualities of Ali Hussein, but to his political situation, and to the circumstances in which he would have been left, had a diffe-

a different line been adopted by the British government. If the calamities of the Carnatic had their source in a divided and fluctuating authority, that divided and fluctuating authority would have remained; for I do not think any man is romantic enough to entertain the idea of our abandoning the country entirely to the nabob, or, indeed, that it was safely practicable; if from the influence of that confederacy of European and native harpies that beset the Durbar, and combined to obstruct every effort towards correction or reform, what probability was there that he, young and inexperienced as he was, would have been able to break the shackles which his father had confessed himself unable to struggle with, and was forced to submit to? With respect to his councils, his parent had not, indeed, made it a testamentary obligation upon him to pray for the enemies of Great Britain; but he had done more---he had committed him to the care and guidance of those, with whose assistance all the oppressions of the Carnatic had been exercised; who, having been in his own confidence, and that of his predecessor, must have contributed to, and partaken in, all the projects of faithlessness and disaffection of which they were guilty. Where, then, was the ground of a rational hope, that any one evil would have been corrected, any one danger averted, any attachment found that would have warranted the relinquishment of the smallest part of that security, which alone could be effectual and permanent?

But, it may be asked, even allowing this, why degrade the unhappy prince? why not accept the submission that was at last offered, and conclude with Ali Hussein the engagement you ultimately concluded with Azeem ul Dowlah? I say, Sir, we did not degrade him; his disherison, as it is called in the Resolutions, was his own deliberate act; it was the consequence of his refusal to admit the incontestible rights we were called upon to realize; those rights were again and again explained to him; the consequence of his resistance was again and again announced; he again and again rejected the condition offered to him, and trusted to fate. Enough was given to humanity; enough to our own character and his inexperience; and the treaty was closed. It was not, then, to us, but to his voluntary adherence to the fallacious hopes and delusive confidence with which he had been insidiously inspired; to the pernicious impulse of that cabal which had betrayed his progenitors, and been the bane of his house, that he owed the change in his fortunes, and the disappointment of all his natural prospects. Under this fatal influence, he firmly pronounced his own sentence, and drove us reluctantly, to the decisive measure of raising another prince to the musnud. It was possible, undoubtedly, that, notwithstanding these circumstances, we might have still given to him possession of the throne; but would it have been wise, would it have been consistent with our tranquillity or safety? He had refused our offers, rejected our favour, impeached our justice, and his whole efforts and resources would have been employed to subvert the order of things we had established. His means, perhaps, to affect us, were not extensive or powerful; but his object and mind would have been certainly hostile, and we should have created, in the very heart of our

our empire, a counteracting influence — a centre of disaffection, around which all the dissatisfaction, intrigue, discontent, and turbulence of the country might gather and accumulate — where every hostile movement would find a promoter; every enemy, foreign or domestic, Indian or European, a friend, an ally, and an instrument. This surely was sufficient to have dictated to us the prudence of consigning the sceptre, nominal and barren as it appeared, to safer and less doubtful hands.

It is with sincere regret I venture to recal to the recollection of the house, an event so afflicting as the late mutiny at Vellore; but, Sir, nothing can more forcibly illustrate my argument. If a son of Tippoo Sultaun, a prisoner in that fortress, without power, without wealth, without means of seduction, could be supposed to produce such effects, as, by many, are attributed to his intrigues and exertions, what might not have been those produced by the prince of the country, with similar dispositions, and means infinitely more extended? I will only add, though they would not, perhaps, have shaken the foundation of our empire, they might yet have given birth to such scenes of convulsion, horror, and bloodshed, as would have been long to be remembered and deplored.

It now remains for me to say a very few words (very few, I assure the house, they shall be) on what I own is, in my estimation, a comparatively subordinate part of our consideration — I mean, the circumstances that attended the execution of the measures in question. Indeed, Sir, for the detail of them I am inclined to rest simply on the contents of the documents on the table; and I do so with the more readiness, because I feel I have already trespassed much too long on the patience of the house, and am certain, whatever I shall omit will be amply and more ably supplied by others, who are likely to take a share in this discussion.

Mr. Wallace next adverted to the alleged letter of the prince Ali Hussein, to his agents, and opposed to the statements contained in it, the official narrative of the British commissioners.

It is scarcely within possibility, that, to a transaction of this nature, circumstances of apparent hardship should not be incident; circumstances to touch our best feelings, to call forth our compassion and sympathy, and to afford the materials for much eloquent and impressive declamation; but, before gentlemen abandon themselves to emotions of this kind, I implore them to weigh well, and impartially, all the considerations connected with the case before them. In doing so, I am persuaded they will be satisfied that no degree of attention that humanity could dictate, has been wanting; that every hardship that could be avoided, was prevented; and those which were inevitable, alleviated, as far as was compatible with the secure accomplishment of the measure to be effected. Whatever, as a matter of unavoidable hardship, fell upon Ali Hussein, I unaffectedly regret; his early death I regret also; but in the compassion I may feel for his fate, I cannot forget justice, or consent to admit that his death has any direct connection with the measures that were adopted. Examine every circumstance of it, and

and no unprejudiced mind will discover even a colourable ground for suspicion. If even his situation preyed upon his mind, and affected his health (of which, however, there is no proof), it may be a matter of concern, but can be none of criminal accusation against the British government. The rigorous severity of restraint and confinement, so loudly complained of, appears never, in fact, to have existed, with respect to Ali Hussein, or to the princes of the family generally; on the contrary, it is proved incontestibly by the papers, that full liberty was afforded them of quitting the precincts of the palace, if they preferred it to yielding the usual obedience to their constituted head. That they were under the authority of the nabob, is true; but, such were the precautions taken by Lord Clive, such his constant communication with the palace, that no abuse of that authority, no outrage or violence could take place without his knowledge; and in speaking of various representations from several discontented members of the family, he distinctly declares himself enabled to state, "that the facts described in them, are, in some respects, exaggerations of trivial circumstances; in others, absolutely without foundation."

The illness of Ali Hussein commenced, as it appears, in the apartments of his aunt, the Sultaun ul Nissa, one of the most active and avowed enemies of the new arrangements, with whom he had resided for some time, and who would naturally watch over his safety with more than common anxiety and vigilance. There he remained till he removed to the house of his mother, a few days preceding his dissolution, in a state of hopeless insensibility. The first intelligence of his illness was communicated by the nabob Azeem ul Dowlah. Every medical assistance was immediately offered that it was in the power of the governor to furnish: it was, at first, resisted by the prince's atttendants, and, when with difficulty admitted, proved too late to be availing. Not an idea seems to have been entertained at the time, that the cause of his death was otherwise than natural; there is no suspicion thrown out; and even the letter professed to be sent, but could not be sent by Ali Hussein to Lord Clive, the day before his decease, confirms the innocence of the nabob. The mention of spells and incantations, if they prove nothing on one side, prove much on the other---they indicate the spirit in which the letter, from whatever quarter it came, was composed; and, by a reference to such grounds of accusation, prove the total want of all that was more substantial and credible.--- What benefit, in truth, could be derived from such an act, compared with the risk attending it? The establishment of the new order of things was complete; all rivalry was at an end; the determination of the British power was manifested, and its support irrevocably pledged to Azeem ul Dowlah; had he then felt the idle desire to make assurance doubly sure, by a crime so atrocious, could he have promised himself any advantage to balance the consequences of almost inevitable detection---which must have raised against him the horror and detestation of all mankind, and most of all, I trust, of those by whose favour he had been elevated, and whose indignation could

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in a moment have dismissed him from the throne, of which he was unworthy, to the obscurity from whence he was taken?

I have now, Sir, traced (I am conscious how imperfectly) the circle I proposed in my outset.—If I have had the good fortune to be at all successful in conveying to the house the impressions of my own mind, I can entertain little doubt of the result of this discussion. If I have failed in so doing, convinced as I am of the truth of those impressions, I have the consolation of knowing there are many present who equally feel, and by their superior authority and eloquence, are infinitely more capable of giving them weight than I can pretend to be, and who will do justice to a cause to which my powers are, I am sensible, little equal.

With the views I entertain of the transaction before us, it will not be wondered at, that I should not have thought it necessary to inquire particularly whence it originated, whether in the orders transmitted from home, or in the unaided and spontaneous zeal of the government in India? Approved and sanctioned as it has been by the authorities constituted to superintend the administration of our Indian affairs, I consider the measure as an act of the British government; what may be the sentiments of the court of directors I do not pretend to know, but I must remark, that though, on many other points, lord Wellesley has incurred their censure in the catalogue of his faults or errors, this has not been introduced; I am, therefore, willing to infer, that in acting with zealous solicitude for their interest, he may have been felt to have deserved, though he has not received, the expression of their approbation. In that sentiment of approbation, whether participated in by them or no, I cordially concur. In my official capacity I have cheerfully declared it, and here, as a member of parliament, with equal satisfaction and sincerity, in the presence of my country I repeat it, and rejoice in the opportunity once more afforded me, of bearing a public, though feeble, testimony to the transcendant merits of the late governor-general. Under his auspices this great and desirable measure was accomplished. Under the same auspices the British power in India has attained a height that will be the admiration of future times, when the transient feelings of this day are past and forgotten. I rather wish, for the honour of my country, to dwell on the services he has rendered, than that return of obloquy and persecution with which they have been rewarded. It is true, Sir, in assuming the government of India he found a great and powerful empire; but he found it encompassed with perils, exposed to the rivalry, and threatened by the designs of surrounding powers.—Tippoo Sultaun, cherishing implacable hatred against us, was maturing his projects of vengeance, and preparing, as he thought, our destruction. The extensive resources of the Mahratta confederacy, influenced by councils hostile to our empire and interest, were formidable and unbroken. The nizam, subjugated by a numerous force, under the command of French officers, was a slave in his very capital. A more considerable, and almost independent French power, fixed in the Doab, and in possession of the person of the moghul, menaced our most vulnerable frontier on the side of Oude, allied with France, and

and prepared to co-operate with her, or any other invader of the British dominions. Mark the change:—The sultaun overthrown; his hatred, his name, his kingdom extinguished for ever. The nizam emancipated from French influence, amongst our closest and most attached allies. The Mahratta confederacy broken, disjointed, and humbled by our arms, is no longer an object of anxiety or alarm. The French force, in every part of India dissolved and dispersed, and scarce an individual of the nation remaining on that vast portion of the earth, but by our sufferance and permission; the unquestioned predominance of Britain established, without a rival throughout the Indian world; and the blessings of British justice and government extended to millions of thankful and protected subjects!

In the course of these events much has been added to the British dominions; much to the glory and splendour of the British name; to which no one has more contributed than my right honourable friend near me. But, Sir, the wisdom which guided, and the genius which inspired, all the measures from which those effects have flowed, have not so much added to the extent of our possessions, and the glory of our name, as to the permanent strength, solidity, and security of our empire. Contemplating our situation as the late governor-general found it on his arrival, and comparing it with what he left it at his departure, we may well say,—*lateritiam invenit, marmoream reliquit.*

I shall trouble you no further, than merely to acknowledge, with gratitude, the indulgence I have received, and intreat the house to believe, if I appear to have abused it, that I have been induced so long to trespass on its patience, in obedience only to the strongest sense of public duty, and a conscientious conviction, that, in vindicating the acts of lord Wellesley's administration, I am defending the most important and valuable interests of my country.

Lord ARCHIBALD HAMILTON contended, that the nabob's father and grandfather had lived and died in amity with the British government, and that, by the treaty of 1792, the nabob was not precluded from any but a political association, or correspondence, with the native powers. No one act of hostility had been committed by the nabob, nor had he been proved, in any instance, to have violated his engagements with the company.—He could not agree in the view of this subject taken by the right honourable gentleman who had just sat down, because it appeared by the papers, that the general government in India had the intention to annex the nabob's territories to those of the East India company, long before any charge of perfidy was imputed to him. What must have been the fidelity of the nabob, if the governor-general could not, from the year 1798 to 1801, find any pretext for the usurpation of his territories, for an usurpation he considered it?

After the clear and able statements of the honourable baronet, it was unnecessary for him to say any thing more on the subject.—He was aware how little the house was inclined to entertain a question of this kind. If any thing was calculated to rouse the spirit of that house, the statements lately made in it, relative to the nabob of Oude, must have done so. At that time the House must have seen the

the honour and interests of the country sacrificed; and after the same had been passed over without the slightest notice by the House, it was impossible for the people to look up to its justice with the respect and reverence it had been accustomed to do. He thought nothing but the most cogent and satisfactory reasons could justify the proceedings towards the nabob; and that, as yet, nothing but reasons the most frivolous and inconclusive had been produced. He should certainly support the resolutions.

Colonel ALLAN felt that, having on a former night ventured to state his opinion upon a question of a nature similar to that which was now brought before the house, (the Oude Charge) he should not discharge his duty with satisfaction to his own mind, were he to be silent upon a motion that related to transactions which took place in the Carnatic, where he had resided for an uninterrupted period of twenty years; having, in the course of that time, held a confidential situation under his noble friend Lord Buckinghamshire, during the whole of his administration in India, he had opportunities of knowing many of the facts, which were stated in the papers before the house. As the nabob of Arcot had never wanted advocates (as they had witnessed even that night) to assert that he was an *independent sovereign*, and as many hon. members might not have had leisure or inclination to peruse the papers laid before parliament upon this subject, he wished shortly to draw the attention of the house to the origin of our connection with Mahomed Ali, and to the foundation of his pretensions, as nabob of Arcot, in order that a correct idea might be formed of the title and privileges which he actually possessed. He thought he could show, that it was during the contest between the English and the French, who had gained great influence in the Deccan, and aimed at the exclusive possession of the Carnatic, that Mahomed Ali first introduced himself to our notice, not as the acknowledged nabob of Arcot, but as the competitor of Chunda Saib, whose pretensions were supported by the French. He thought he could show, that in that war, which terminated in leaving the English masters of the Carnatic, so little did Mahomed Ali or we think of conquering merely for *him*, that the British colours were regularly hoisted on the forts which surrendered to our arms; that we obtained from the Moghul the sanction of his authority, under a commission to Mahomed Ali, as nabob of Arcot; that that office was one of deputation and dependence of a military nature, and quite distinct from the administration of the revenues, which belonged to the office of Dewan; and that, through British influence, those two offices were united in his person, under the express condition, that the management of the revenues should revert to the company, in the event of his being guilty of any secret practices, or of any failure in his pecuniary engagements. But he thought he should best consult the wishes of the House, and certainly his own inclination, by abstaining from these details; he should therefore content himself by observing that the nature of our connection with the nabob of Arcot would be found accurately described by Lord Macartney, in a letter from the government of

Madras

Madras to that of Bengal; in which letter, speaking of this *independent sovereign*, his lordship observed, "that he was no more reckoned than the nabob of Oude, among the native powers of Hindustan; that they were both Europeans in connection and dependence."

Col. Allen here referred to some assertions of Mr. Burke, in prosecuting the charges against Mr. Hastings, as evidence of his not being reputed even as an independent sovereign, but "in truth and substance, nothing more than a merely civil authority, in the most entire dependance on the company." And the correspondence of Lord Macartney and the Directors of the East India Company, was quoted by him, as tending to the same effect. The hon. member next entered into a history of the several engagements, or treaties, concluded between the nabob and the Indian government to the year 1792. When some favourable modifications of the preceding treaty was consented to by Lord Cornwallis.---Had the treaty of 1792 been adhered to with that good faith which we had a right to expect from the nabob, the country would have found in it a source of increasing prosperity; for, by its wise provisions, a considerable portion of the Carnatic was exonerated from those private assignments, which had ever been productive of oppression and distress to the inhabitants; but the expectations justly entertained from the operation of that treaty, were disappointed, and the evils of the administration of the Carnatic, if possible, increased after the death of Mahomed Ali, in 1795. It now became necessary, continued the hon. member, to examine whether the nabob adhered to the treaty of 1792, and he thought he should have no difficulty in showing that he had violated, not only the spirit, but the letter, of that treaty. In the year 1794, his noble friend Lord Buckinghamshire, assumed the government of Madras. It was notorious, at that time, that the nabob had granted assignments on the districts mortgaged to the company. In the minutes of council of his noble friend, the mischiefs resulting from that practice were fully explained, and the system was traced through all its intricacies. In a letter to the court of directors, dated in Sept. 1796, Lord Buckinghamshire observed, that "the fullest consideration of this important subject, with the contemplation of that ruin in which the nabob's breach of engagement is involving the Carnatic; the daily accounts which he received of the oppression and miseries of the unfortunate inhabitants; and the conviction which he had of the progressive annihilation of the resources of the company; had so strongly impressed his mind with the necessity of a change of system, that he had no hesitation in saying, if there be no doubt (and it is not possible for any man in India to doubt it) of the treaty of 1792 having been violated by the nabob, there can be no question of our right to avail ourselves of every means in our power to enforce such a modification of the treaty, as will guard against the fatal consequences of future violation; and he was not afraid to hazard his character upon the policy, the justice, and the humanity of the measure." Mahomed Ali, the hon. member said, was apprised by his noble friend, that by the infraction of

of one of the main articles, the whole treaty had been cancelled; and Lord Buckinghamshire endeavoured, but without success, to prevail upon the nabob to agree to a modification of the treaty, by placing under the company's management a permanent territorial security, equal to the amount of the subsidy; and, as an inducement, offered to give up a claim which the company had on the nabob for about thirty lacks of pagodas.---After the death of Mahomed Ali, Lord Buckinghamshire made a similar proposal to the nabob Omdut ul Omrah, to which he likewise refused to accede. Omdut ul Omrah was also informed by Lord Buckinghamshire, that he considered the granting assignments on the mortgaged districts, a violation of the treaty. And the government at home, in July, 1796, warned the nabob of the consequences of such conduct; but there is stronger evidence than this, of the nabob's violation of the treaty, for the nabob himself, in a paper delivered to Lord Wellesley, in May, 1798, says, "having explained that, under the present arrangement of my monthly kists, I was compelled, at a particular period of every year, to raise money for the payment of the company's military subsidy, which money was repaid from my countries in the following manner: viz. supposing a kist of a lack of pagodas was to be paid, we received sixty thousand from the country, and borrowed the remaining forty thousand from some person, and gave him an order on that country for that amount, which he received. It was well known that these assignments extended to the districts specified in the treaty, for it was recorded by Lord Buckinghamshire, in a minute in council, "that the southern districts of the nabob's country, and Tinnivelly in particular, as being the most distant from the presidency, have been the theatre in which these scenes have been chiefly exhibited; but it is notorious that similar practices have been introduced, and are now actually carried on in Vellore, Arcot, and Trichinopoly." The house would recollect, that every one of those districts was specified in the treaty. But it had been attempted to be argued by the nabob, that his granting assignments on the mortgaged districts, was not a violation of treaty; and that the only penalty for so doing, was, in the event of those districts being assumed by the company, that the assignments should be of no value and of no effect.

The 5th section of the 8th article of the treaty of 1792 was as follows, and with the leave of the house, Colonel Allen said, he would read it, "In consequence of the measure whereby the districts mentioned in the Schedule, No. 2, became responsible for any arrears that may accrue in the payment of the above stipulated kists, the said nabob agrees that he will not grant tuncaws, or assignments, on any account, on the revenues thereof; and if, contrary to this condition, any tuncaws or assignments should exist when the said districts, or any of them, shall be assumed by the said company, such tuncaws or assignments shall be declared, by the said company, and the said nabob, to be of no value, nor shall they remain in effect." He would not, however, attempt to argue what should be the just construction of this clause, as he had no doubt that, if it should be necessary, it would be ably and successfully

successfully argued by persons whose opinions would have more weight in the house than his could have; but he must say, that he thought his noble friend, Lord Buckinghamshire, had put that construction upon it which was intended by Lord Cornwallis, who framed the treaty; and that it was, at the time of its conclusion, so understood by the nabob. That he might not mis-state his noble friend, he should make use of his own words, contained in a public letter to the court of directors. "The 5th section of the 8th article of the treaty of 1792," says Lord Buckinghamshire, "is made to affect two parties, the nabob, and the money lender; if the former grants assignments on the mortgaged districts, he is liable to such penalties as generally attach upon a breach of engagement; if the latter advances his money upon securities upon the districts in question, he hazards the loss of it, on their falling into our hands; how a clause, distinctly affecting two separate objects, can justly be construed to exonerate the one from all penalty, because its final operation upon the other is specifically provided for, is beyond my capacity to discover." Upon this authority, then, he had no hesitation in asserting, that the nabob, by granting assignments on the districts mortgaged to the company for the security of the subsidy, violated the treaty of 1792. That the government at home were decidedly of that opinion, is evident from a letter to Madras, in June, 1799, in which they observed, "that his highness has distinctly acknowledged, that he is in the practice of raising money, annually, by assignments of the revenues of those districts, which form the security for the payment of the company's subsidy; as this practice is unquestionably contrary to the letter, and subversive of the spirit of that treaty, we direct that, immediately upon the receipt hereof, you adopt the necessary measures for taking possession, in the name of the company, of the whole, or any part, of the said districts, which shall appear to be so assigned."

Col. ALLEN then said, that if he had succeeded in showing that the treaty of 1792 had been violated, the justice of the late arrangement in the Carnatic must be admitted. But the nabob had not only violated the treaty by granting assignments on the mortgaged districts, but also by entering into a correspondence with Tippoo Sultaun, without the knowledge and consent of the British government. It had been asserted that an eager examination of the papers of Tippoo Sultaun, was amongst the first acts of the general staff after the fall of Seringapatam. It chanced, the hon. colonel said, to be his lot to be the first British officer that entered the palace of Tippoo Sultaun; he was on the general staff, and in the confidence of the commander in chief, and had opportunities of knowing what was done. Tippoo having been killed in the assault, his sons and generals, who commanded divisions of his army, as soon as they were apprised of his death, surrendered themselves to General Harris. Measures were immediately taken to secure the quiet possession of Tippoo's dominions. The records of the Mysore government were carefully preserved; they were examined; and the correspondence of the nabobs of the Carnatic having been discovered, it was, of course, transmitted to the governor-general. Of the nature and

and object of that correspondence, he admitted, that different opinions might be formed; but we know that, by the treaty of 1792, the nabob was bound not to enter into any political correspondence with any native power without the consent of the British government; and we also know that the nabob, in compliance with that stipulation, was in the practice of sending to the government of Madras, for their approbation, not only the drafts of the letters which he proposed writing to Tippoo, but also the letters which he received from the sultaun. Keeping this in their recollection, gentlemen would observe, that among the papers before the house, are numerous letters from the nabob to Tippoo, on the most trivial occasions, merely complimentary, all submitted to the inspection of the government before they were dispatched, clearly showing that the nabob did not consider himself at liberty to hold any correspondence whatever, without the knowledge and consent of the British government. What were we then to infer, when, on the occasion, perhaps on the very day on which the nabob had sent one of these complimentary letters to the government for their approbation, we found that he had also written a letter of a secret, and, at least a mysterious nature, which he dispatched to Tippoo without their knowledge?—Some of the communications made by the nabob, through Tippoo's ambassadors, were for the purpose of apprising the sultaun, that he was suspected by the British government of carrying on an improper negotiation with the Mahrattas, of advising him to suspend his plans until a more favourable opportunity occurred, and of recommending him to be more guarded in his intercouse with the French; and we must not forget, that Tippoo had, on his part, sent ambassadors to France and the Mauritius, in order to prevail upon the French to afford him military assistance. What then, asked the hon. member, are we to infer from the secret meetings of the nabob with the ambassadors of Tippoo? From the communications made only under a solemn oath of secrecy? From a cypher evidently intended, if not for hostile, certainly for political, purposes? And all this at a time when, it would be recollected Tippoo was endeavouring, by every means, to unite all the Mahomedan princes in Hindustan, for the avowed purpose of expelling the English from India. But was this the extent of the nabob's treachery? By no means; for we are informed, that in a conversation held by Mahomed Ali with one of the ambassadors, the nabob reprobated the war carried on by Lord Cornwallis, as a war undertaken for the subversion of the Mahomedan religion; by that war Tippoo was reduced in power, wounded in pride, and he determined on revenge; he, therefore, determined to support the faith, and to exterminate the infidels, meaning the English. With such feelings on his mind, what was the language of the nabobs of Arcot, the allies of the company? It will be found in one of the letters from Omdut ul Omrah, which contained this remarkable passage, which he desired might be repeated to the sultaun: "In the preservation of thy person is the perpetual permanence of the faith. Let him not remain who wisheth not thy preservation." The hon. member thought no man would be bold enough to assert, that the nabob would have ventured

ventured to have submitted that letter to the inspection of the Madras government; and yet there were persons disposed to offer an excuse for every act of perfidy in the nabob, and to brand with odium the British name in India. In his opinion, however, it was enough, that the correspondence found at Seringapatam was secret, and that it had been carried on by the nabob without the knowledge and consent of the British government; for his part, he thought that no impartial man, who had perused the letters which were submitted by the nabob to the inspection of the Madras government, and had compared them with the letters which were found at Seringapatam, could lay his hand on his heart, and pronounce that correspondence to have been innocent; the fair presumption was, that it was of a nature hostile to the British interests, it certainly was a violation of the treaty of 1792.

With this impression on his mind, on the subject of the nabob's conduct under the treaty of 1792, he should trouble the house with a few words with regard to the policy adopted by the British government on the discovery of the violation of that treaty. In the first place, he would remark, as a general principle, that the policy of some arrangement, similar to that which has recently been adopted in the Carnatic, could not be doubted by any person who had looked into the papers. As far back as 1774, the inconveniences and dangers resulting from the system of the nabob's administration, had been often experienced by the government of Madras, and as often represented to the court of directors. The hon. member then showed, that from that date to the government of Earl Powis, in the whole of the intermediate administration of Lord Macartney, Sir A. Campbell, Lord Cornwallis, and Earl of Buckinghamshire, these inconveniences of a divided government in the Carnatic had been seriously felt by every successive governor, and that nothing short of an arrangement like that ultimately concluded by lord Wellesley, could protect the British interests in that quarter.

The hon. member declared, that after the opinions of Lord Macartney, Lord Cornwallis, Lord Buckinghamshire, and Lord Powis, publicly recorded, and to which he had endeavoured to draw the attention of the house; after the fullest enquiries on the spot, possessing also, as Lord Wellesley did, every means of acquiring correct information, he could not feel surprised, that Lord Wellesley should have considered the late arrangement in the Carnatic as founded in the wisest policy. Its impolicy, however, had been argued upon grounds, in his humble opinion, quite erroneous. It had been remarked by those who differed from him on this occasion, that formerly we had no invidious duties to discharge, that the nabob's government exacted the revenue and inflicted the punishments, that they were regarded as the oppressors, whilst we were considered as the benefactors of the country; but that now we had changed places with the nabob; and we were then gravely asked, whether it was wise to have taken upon ourselves a task which must render us odious to the natives? To this point, the hon. member said he could speak from his own personal knowledge, for he was employed for seven or eight years making surveys of the country, and traversed every part of it; and he believed he might venture to say, that

that at the time he quited India, no European had seen more of the Carnatic than himself: he had many opportunities of learning the real sentiments of the inhabitants, and he had no hesitation in declaring, that they invariably spoke in praise and admiration of the system pursued during the period that the country had been under the management of the Company's servants; and with detestation and abhorrence of the nabob's managers, whose oppression and cruelty were so great, that he had known all the inhabitants of a village fly from the nabob's territories, during the night, to seek protection in those of the Company, or perhaps to retire altogether into the dominions of the nizam, or of Tippoo Sultaun.

It might be argued, however, (and some had already made the attempt) that, although the late arrangement in the Carnatic was founded in justice and policy, the family of Mahomed Ali had strong claims on the liberality and indulgence of the British government. It may, therefore, continued the hon. member, be worth while to examine how far such claims are well founded. From our earliest connection with Mahomed Ali, we had reason to be dissatisfied with him for his want of faith and honour, instances of which had been recorded as far back as the administrations of Mr. Bouchier and Mr. Dupré; and the government of Madras had declared, that the nabob's conduct was such as to destroy all confidence in his engagements. Lord Macartney observed, that the records were full of essential failures on the part of the nabob in his pecuniary engagements. In the war with Hyder Ali, in 1780, we applied to the nabob, in vain, for assistance; the same when we were preparing for the war in 1790.

In the war of 1799, the government was compelled to call upon the nabob for pecuniary assistance; for when Lord Wellesley assumed the government of India, he found an exhausted treasury, and our credit very low. The nabob promised three lacks of pagodas, no very large sum; but it will scarcely be believed, that he advanced only 16,000 pagodas, or 6,400*l.*! private individuals shewed more zeal, and, to the honour of the British commercial houses at Madras, they afforded every possible assistance, and enabled the army to move from our frontier to Seringapatam. But this want of attachment to his allies was not confined to failures in his pecuniary engagements; the nabob actually showed an indifference to the British interests, which might justly be attributed to disaffection. In a letter from the Madras government to the court of directors, dated August, 1799, they observed, "We are concerned to inform you, that this is not the only instance in which we have had to lament an indifference to the success of our measures on the part of his highness, for, instead of calling forth the resources of the Carnatic, for the supply of your army, his highness's managers, in every province of his dominions, not only withheld all assistance from their respective districts, but opposed every possible object to the passage of supplies, procured for the use of the army, beyond the limits of his highness's dominions." And the government at home, in a letter to Bengal, dated the 4th of December, 1800, mentioned the particulars of the nabob's conduct regarding the fort of Chandernagherry, and observed, that "a more decided instance of disaffection

disaffection could scarcely be imagined."---Under all these circumstances of the nabob's repeated, he might almost say constant, failure in his engagements; of his indifference to the British interests, an indifference amounting nearly to disaffection; of his violation of the treaty of 1792, not only by granting assignments on the districts which were mortgaged to the company as the security for his subsidy, but also by entering into a secret correspondence with Tippoo Sultaun, the implacable enemy of the British name in India; the hon. member contended that we were justified in considering the treaty of 1792 as annihilated, and in adopting whatever measures we deemed necessary to secure our rights in the Carnatic. With this view, it was the intention of the British government to have made a communication to the nabob, Omdut ul Omrah, of the proofs which they had obtained of his having carried on a secret correspondence with Tippoo Sultaun, contrary to the stipulations of the treaty of 1792. He had previously been apprised of his violation of that treaty by granting assignments on the mortgaged districts. Circumstances of expediency, however, interrupted this communication: it was protracted by the nabob's illness; and his death frustrated the wish of the British government to obtain from him satisfactory security for their rights in the Carnatic. Released from the treaty of 1792, which had been repeatedly violated by the nabob, with the recorded opinions of Lord Macartney, Lord Cornwallis, Lord Buckinghamshire, and Lord Powis, that no divided power, however modified, could possibly avert the utter ruin of the Carnatic, the opinion of Lord Wellesley was further strengthened in these sentiments by a letter from the secret committee, approved by the board of control, transmitted to him in June, 1799. In this letter the secret committee observed, "In the event of a war with Tippoo Sultaun, the respective countries of the nabob of Arcot and the rajah of Tanjore, will, of course, come under the Company's management, and they direct that they be not relinquished without special orders from us, or the court of directors." Without entering into any detailed examination of the contents of this letter, he would be satisfied with merely begging the house to remark, that even upon a general principle of expediency, and without any knowledge of the secret correspondence found at Seringapatam, the government at home ordered Lord Wellesley not to relinquish the Carnatic, even upon the conclusion of a peace with Tippoo Sultaun. Therefore, he was clearly of opinion, that, under all these circumstances, it was the duty of Lord Wellesley to form such an arrangement for the future administration of the affairs of the Carnatic, as should result from a full consideration of the relative situation of the nabob and the East India Company; the ruinous consequences of the repeated violations of the treaty of 1792; the interests of the inhabitants of the country; the security of the British government; and the orders that have been received from the court of directors. A difficulty, however, arose with respect to the person who was to succeed to whatever degree of power it might be deemed safe to place in the hands of the successor of Omdut ul Omrah. His legitimate and adopted son was considered entitled to a conditional preference;

preference; but when, under the suggestion of those who had been the advisers of his father, he refused to accede to the terms which it had become necessary to annex to the situation of nabob of the Carnatic, the succession, subject to the stipulations required, was offered to, and accepted by, the next legitimate heir, the son of Ameer ul Omrah, and grandson of Mahomed Ali. But it had been said, that that arrangement in the Carnatic was begun, continued, and concluded, with a rapidity which was observable in all the foreign transactions of the Bengal government: it was, no doubt, easy to make, but it certainly was as easy to refute, such an assertion. So far from that rapidity with which the Bengal government was unjustly charged, it appears that Lord Wellesley investigated the business with the most deliberate caution. He appointed commissioners (of whom, in consequence of what had fallen from the hon. baronet, who opened the debate, he should say a few words before he sat down) to examine the persons concerned in the correspondence, and to ascertain the nature of the connection between the nabobs of the Carnatic and Tippoo Sultaun; he reported the proceedings to the secret committee and to the board of controul; and it was not until Lord Wellesley was informed by those high authorities, that their sentiments perfectly coincided with his own, and with Lord Powis's, that he gave his final instructions on the subject, two years after the discovery of the correspondence of the nabob with Tippoo Sultaun; the charge, therefore, of precipitancy, was quite unfounded. The treaty with Azeem ul Dowlah was concluded in July, 1806 it was immediately transmitted to England, and it was now only necessary to shew that it was approved of by the government at home. The house would, he flattered himself, agree with him, that a hasty decision had not been pronounced upon that important measure. In September, 1802, fourteen months after the treaty had been concluded, the secret committee having had the papers a long time under consideration, wrote to Lord Powis as follows: "We do not feel ourselves called upon to enter into the detail of the circumstances connected with the case, or to state at length the reasoning upon those circumstances, which has led to the conclusion we have come to, after the fullest and most deliberate caution. It is enough to state to you, that we are fully prepared, upon the facts, as at present before us, to approve and confirm the treaty in question; and we are of opinion, that, acting under the instructions of the governor-general, you stand fully justified (upon the evidence, written as well as oral, on which you proceeded) in deeming the rights of the family of Mahomed Ali, as existing under former treaties, to have been wholly forfeited, by the systematic perfidy and treachery of the late nabobs of the Carnatic, Wallah Jah and Omdut ul Omrah, in breach of their solemn treaties with the company. The claims of the family having been thus forfeited, and a right having accrued to the company of making provision, at their discretion, for the future safety of the Carnatic, we are further of opinion, that the nature of the security which has been provided by the treaty for the defence and preservation of our

our interests in that quarter, is of a satisfactory description."

After having so long troubled the house, he would merely observe, that the view which he had taken of this subject was formed upon an attentive perusal of the papers laid before parliament, upon which alone we could form our judgment. Indeed, the substance, almost the whole, of the speech with which he had presumed to trouble the house, was founded upon those documents, and he should therefore oppose the resolutions moved by the hon baronet. The hon. baronet, however, in speaking of the commissioners, had used an epithet, which, the hon. member said, he was sure he would not have done, if he had been personally acquainted with them; and yet a very slight examination of the papers would have enabled the hon. baronet to have known those gentlemen by character and reputation. Whatever opinion the hon. baronet might have formed of those gentlemen, he could assure him, that there were not in the house, nor in the country, two men of a higher sense of honour, of more conscientious and honourable feeling. Colonel Close, so highly distinguished by his talents, his zeal, and integrity, was resident at the court of Poonah; if he were in this country, he should have wished him to have been examined at the bar of the house, and he was persuaded that the hon. baronet would have formed a different opinion of the secret correspondence from that which he entertained. With Mr Webbe, late chief secretary to the government of Madras, the hon. member said he had been in habits of the most affectionate friendship; unfortunately for his friends and his country, this valuable public officer was dead; he sacrificed his life in the service of his country; he was a man of the nicest sense of honour, justly looked up to as one of the highest characters in India; he could truly say, that Mr. Webbe's memory was universally revered. His noble and independent mind would not have allowed him --- [Here the feelings of the hon. member so overpowered him, that he was unable to proceed, and sat down.]

Mr. Windham, on account of the lateness of the hour, and the number of hon members who had yet to speak upon the subject, proposed that the debate should be adjourned to Wednesday, June the 1st, which was ordered accordingly.

Wednesday, June 1.

CONDUCT OF MARQUIS WELLESLEY.

On the motion of Sir Thomas Turton, the order for resuming the adjourned debate on the Carnatic Question, was read. No person rising to speak, the question was put on the first resolution, and the gallery was cleared for a division; but Mr Sheridan having suggested to Sir Thomas to withdraw his resolutions of fact and distinct charges, in order to bring the whole matter more satisfactorily to issue on the general question, whether Lord Wellesley's conduct in the transactions with respect to the Carnatic, was or was not consistent with justice, or with the character and honour of the British nation? a debate arose on this proposition, on which strangers were again admitted. When the gallery was re-opened,

Mr.

Mr. Wellesley Pole was speaking. He had no objection to come to issue, this or any other night, upon any charge the right hon. gentleman, or any other person, might have to prefer against Lord Wellesley. He would not sit silent when it was insinuated that his noble relative or his friends wished to stifle inquiry. It was no evidence of a disposition to blink the question, that Lord Wellesley's friends were desirous to come to the vote without provoking a fresh debate. The debate on the former night had closed with a speech from an hon. member, (Colonel Allen), who had been an eye-witness of the transactions in the Carnatic, and who was in no way connected with Lord Wellesley, declaring the whole of the matter contained in the charges, to be gross and unfounded calumnies. In the full confidence, not only of the innocence, but of the highly meritorious conduct of Lord Wellesley, he was ready to meet any thing that the right hon. gentleman, (Mr. Sheridan) had to urge, however awful it may be to contend with the great talents and eloquence of that right hon. gentleman, matured and methodized on this question by a six years' preparation. He knew the magnitude of the powers he should have to contend with, but in the cause of truth he should not be deficient in boldness. He knew he expressed himself warmly on this subject; but during the last six years, and more particularly during the last three years, he had exhibited, as every one must allow, no small stock of patience. He did not pretend to be so callous, as not to feel indignation when the hon. baronet, who brought these charges, said, that Lord Wellesley's conduct in India had been such as to convince him, that no man could retain honour or honesty in that country. The hon. baronet in thus expressing himself, not only used his parliamentary privilege of freedom of speech, but he had gone to the full extent of that privilege, in using language which he dared not use elsewhere. He contended, that the judgment of the house, however pronounced, after the discussion and investigation that had taken place, would be decisive of the case. If the decision should be unfavourable to Lord Wellesley, he would bow to it as a fair condemnation; if it should be favourable, he would rely on it as a full and fair acquittal. He was convinced that Lord Wellesley had been actuated by no principles but a regard for the honour and interest of his country; and in this conviction he boldly met those accusations, which, if he thought them at all founded in fact, he should shrink from, and hide his face at a distance from this house, and from the society in which he had the honour to associate.

Mr. Sheridan regretted that the hon. gentleman had so totally misconceived him. He had never said, that that hon. gentleman, or any of his friends, were anxious to blink the question; but he had said the very reverse. He had said too, what he would repeat, that moving the previous question was not the way to obtain for the noble marquis, that honourable and satisfactory investigation so much wished for by his friends. It was not directly meeting the very serious charges brought against the noble lord. As to the part he took in the present question, the hon. gentleman knew well that he could

not

not be influenced by any other motive than a sense of public duty. As to the faternal intemperance of the hon. gentleman, he was willing, if not to approve, at least, to overlook it; at the same time he denied that any thing had ever fallen from him that went to impeach the private moral character of the noble marquis, though he always thought, and was still of opinion, that that noble lord betrayed, too often, a mischievous ambition, that might be ultimately ruinous to the British interests in the East. He would repeat his wish, that the worthy baronet would wave his antecedent resolutions, and come at once to the immediate point at issue, as to Lord Wellesley's conduct with respect to the Carnatic.

Mr. WELLESLEY POLE stated, that when the hon. baronet had opened his resolutions, an hon. friend of his (Mr. Wallace) gave notice that he would move the previous question on the resolutions of fact, and a direct negative on the criminating resolution, for which he proposed to substitute a resolution of approbation.

Sir JOHN ANSTRUTHER thought it a most extraordinary proceeding, that after the course just stated should have been laid down in the presence of the right hon. gentleman a fortnight since, and he had heard it, and was ready to speak on it without exception, he all at once came forward this night to reverse all that had been done, and substitute a general question. Nothing but the previous question would be a proper proceeding on some of the resolutions. The others were to be met directly in the most decided manner.

Mr. WALLACE felt himself warranted by the practice of parliament in proposing the previous question on the resolutions of fact. To the criminatory resolution he proposed a direct negative, to be followed up with a resolution of approbation. There could be no question that a decision on these resolutions would fully convey the sense of the house. The hon. baronet who opened the charge, and every other person who spoke on the question, treated of it in its full extent.

Sir THOMAS TURTON considered that his resolution ought to be agreed to without a question. On the fourth resolution, which was criminating, he thought the house ought to go into a committee. Finding that the resolutions were to be met in this manner, he should divide the house on every one of them; and on the fourth, criminating Lord Wellesley, not personally, but in his acts, he should again state to the house his reasons for confirming the resolution.

The question being called for, the house divided on the first resotion. Two divisions then took place in succession. That on the first resolution was

For the previous question....	102
For the resolution........	18
Majority........	—84

On the second resolution, the numbers were,

For the previous question..	109
For the resolution.........	21
Majority........	—88

For about an hour after this, strangers were excluded from the gallery. On our return we found

Mr. G. JOHNSTONE addressing the house, and condemning, in strong terms, the conduct pursued towards the young prince of the Carnatic, Ali Hussein, who had been, for no crime, punished with greater severity than was merited by the guilty person who had preceded

ceded him; and no man could entertain a doubt as to the manner in which he came by his end, after he had been given into the power of another prince. It had been asked, whether the government of India would put a young man upon the throne of the Carnatic, who was suspected not to be cordially their friend? If there was any foundation for that argument, it was one of much greater validity for excluding Omdut ul Omrah. The father, who possessed his inheritance in the greatest splendour, had much more means of doing mischief than his son. An hon. gentleman, who spoke on a former debate, had greatly misrepresented the fact, when he said the nabob of the Carnatic owed his power to the East India company. At one time it was owing to the assistance the company received from the nabob Wallah Jah, that our existence was preserved along the coast bordering on his territories, when the French attacked us near Fort St. David. It was said, the nabobs were only a sort of lords, and that they had no authority in the country. The very contrary of this was the fact. The nabob was a legitimate sovereign, and the East India Company acknowledged him as such, by holding territory from him. The hon. gentleman then entered into a history of various transactions in India, to shew that it was contrary to the principles and practice of our government, at former periods, to keep possession of the territory of native princes. At the conclusion of a war with Tippoo Sultaun, his territories, which we had taken possession of during hostilities, were restored to him. In opposition to this, and other acts of a similar kind, was our own convenience to be set up as a plea fo injustice? The letters of Lord Cornwallis had been quoted, during a former debate, in order to justify this proceeding. But the conduct of Lord Cornwallis was that of his actually giving up the territory he possessed, as belonging to the nabob; and was it not extraordinary, that this act should have been quoted for the purpose of justifying an opposite conduct? The act to which the attention of the house was now called, arose out of a conviction, that to establish our dominions in the East, no part of the territories belonging to the native princes should be suffered to remain in their hands. But he would ask if this system had answered in point of policy? Were we gainers by it, even in mere profit? No: the very reverse was the fact. As soon as we got possession of any additional territory in India, the establishment necessary to support it had eaten up the profit: and it was now a well-known fact, that we received less money, in point of revenue, from the extensive dominions in our possession, than we received when we held them from the nabob. It was evident, therefore, the system had not answered, either in policy, or in pecuniary advantage. As to security, we had acquired none, for every day proved, that the vast extent of our dominions in the East made the security less and less. If the house wanted an example, he would call to their recollection the mutiny at Vellore. It had always been the sentiment of Lord Cornwallis, that it was only by moderation and justice that we could ever expect to render our dominions in Asia secure, and prevent those passions and heart-burnings which so frequently occurred in those distant possessions.

Mr. WHITSHED KEENE entered into

into a defence of the government of India, in depriving the nabob of his dominions; because he had shown a manifest disposition to favour and aid the French. The greatest abuses, he said, existed in the Carnatic. The hon. member then went so far back into the history of the Carnatic as the year 1768, and pointed out such abuses as he thought rendered the interference of the India government highly necessary. He spoke at considerable length in exculpation of the noble marquis, and in favour of the previous question. He enumerated the important services he had rendered his country, which were manifest from the documents upon the table of the house; and he was convinced that from a fair consideration of the subject, the house must acquit the noble marquis of the criminal part of the charge. He contrasted the conduct of other governors in India, who had returned with unstained character, with that of the noble marquis, and contended that he, as well as they, was entitled to the approbation of his country. He was well persuaded that no other measures than those adopted by the noble marquis could have secured the fidelity of the nabob of Arcot; and he thought, from the peculiar circumstances of the country, he was fully warranted in the line of conduct he pursued. Any body who could trace the origin of our connection with the nabob, would observe, that the actions of the noble marquis were marked by a degree of prudence and firmness highly becoming his situation in India.

Mr. Grant said he was reluctant to trouble the house on a subject which had already received so ample a discussion; but he conceived that his situation as a director of the East India Company imposed on him the duty of offering his sentiments on the occasion. As he understood, however, that several other gentlemen, as well as himself, wished to debate the last resolution, he should propose, from the lateness of the hour, to postpone the consideration of that branch of the question till an early day. (A cry of go on, go on; on which the hon. member resumed his speech.)

The chief causes assigned by the governments of India for the deposition of the family of Mahomed Ali, had been the alleged hostility of the princes of that house towards us, and also a correspondence which they were discovered to have maintained with the sovereigns of Mysore, which correspondence was stated to have been utterly subversive of their existing engagements with the British power. But the case had been argued in the House on somewhat different grounds. The nabob of the Carnatic had been represented as the feudatory and vassal of our government, as having abused the charge committed to him by a series of gross mis-government, which had reduced the country to a state of the most dreadful disorder, and as having, therefore, justly forfeited his exalted situation. In order to meet, as far as possible, the different views in which the question had been considered, the hon. director said he would first concisely review the nature and progress of our connection with the nabob; next, he would consider the effects of this connection on that prince's administration,

administration, including under this head the disorders with which his administration stood charged; he would then comment on the accusations that had been brought against the nabob of a breach of faith; and, lastly, would shortly examine how far any of the circumstances mentioned had authorised us in our late assumption of his territory.

Anwar u Dien Cawn, Mr. Grant said, the grandfather of the late nabob, had been appointed to the nabobship of the Carnatic by the great Nizam ul Mulk; and, though by no means an immaculate character, had yet been, in this respect, superior to the generality of Indian princes. This person had perished in a battle against the French and Chunda Saheb, who was a pretender to the nabobship of the Carnatic. The eldest son of Anwar u Dien was taken prisoner in the engagement; but his second son, Mahomed Ali, having escaped, applied for assistance to the British. The inordinate ambition of the French had by this time completely alarmed the English company's governments in the East. It was evident that, under colour of supporting the pretensions of a native prince, the French were forming the most ambitious schemes of territorial aggrandisement in India. This was a prospect in the last degree dangerous to our interests, and nothing remained for us but to contend against those powerful enemies with their own weapons; that is, by supporting a rival candidate for the rule of the Carnatic. Actuated by these views, we embraced Mahomed Ali's proposals, and took arms ostensibly in his cause, but really in our own. Such had been the origin of our intimate connection with the nabobs of Arcot. The general correctness of this statement, Mr. Grant said, would appear from all the historical accounts of these transactions; and, indeed, would be allowed by every person who was competently informed on the subject.

These admitted facts it was material to keep in view, because our late appropriation of the Carnatic had been vindicated partly on the ground that the nabob was only the creature of our power; and that, consequently, our removal of him from his high station was the mere resumption of an existence which we had ourselves bestowed. Could these premises be even established, it was far from clear that they would warrant the conclusion that was attempted to be drawn from them; and, certainly, whatever might have been our demands on the gratitude of the family of Mahomed Ali, we had, at length, exacted a payment in full; but the fact was, that the premises themselves were notoriously false. It was certainly not likely that, without our aid, Mahomed Ali would ever have been able to establish himself in the sovereignty of his paternal dominions; but, undoubtedly, it was as little likely that, without those advantages, and that hold on the opinion of the natives, which an alliance with the family of Anwar u Dien Cawn had afforded us, we should ever have been successful in a struggle, which, in spite of all the helps that we could command, and the most powerful talents to direct our resources, had, it was well known, long been doubtful and perilous in the extreme. To say the truth, by far the greater part of our political and territorial rights in the Carnatic, had professedly been

been derived through the title which Mahomed Ali possessed to the nabobship; the very title on which it was now found convenient to throw a slur. How far the nabob might be obliged to us for services which were confessed to be performed from interested motives, the hon. director said he would not determine; but of this he was sure, that the obligations on our part were, at least, equally great, and, consequently, that the argument drawn from the favours which we had formerly conferred on the nabob's family, was exactly as just as it was generous.

Whatever might have been the defects of the nabob's title, we had precluded ourselves from any notice of them, by having fully acknowledged him as lawful nabob of the Carnatic. His title had also been fully recognised by the French, in the treaty of Paris 1763; by the subahder of the Deccan in 1768; and by the Mogul in 1773. The importance of his title to us was evident from the stress which the company laid on the recognition of it by the French, as would appear from the following words, in a letter written by the directors to the government of Fort St. George, and dated March 9, 1763. "A farther advantage we hope to derive from the recognition of this prince (the nabob) and of Salabadzing, whose title, you will see, is likewise acknowledged, that *it is a confirmation of our title to the territories we hold under grants from those princes,* and a farther security to the peace of the country, leaving the French no colour to interpose hereafter in favour of any other pretenders to the sovereignty of the Deccan or the Carnatic." In 1769, we made a treaty with Hyder Ali, in which the nabob refused to be a party; nor was it then thought competent to us to insist on his participation. Subsequently to our original acknowledgment of the nabob, we had made two treaties with him, in the years 1787 and 1792, in both of which that original acknowledgment had been confirmed.

In full and indisputable possession of those rights, it was necessary to observe what the situation of this prince, in process of time, became. At the commencement of our connection with him, he was the principal in the wars of the Deccan, and we the auxiliaries; the parties also were, in some sort, on a footing of equality, were involved in a common danger, and their alliance was reciprocally valuable. The course of events, however, insensibly altered their relative position. Our growing territory, wealth, and power in the East, gradually exalted us above our old ally, and threw him into the shade; and this inequality, by necessarily producing a depressing sense of inferiority on his part, and the contrary feeling on ours, had a perpetual tendency to increase itself. By degrees, we became the principals in the wars of the Carnatic, and he only an auxiliary; and, what was more, an auxiliary, who, though he might suffer from our losses, could acquire little or nothing by our conquests, and who, therefore, could not be expected to feel any very warm or lively interest in our success. At length he was prevailed on to dismiss his own troops, and to trust the defence of the Carnatic entirely to the Company, who were, for that purpose, to assume the entire management of his dominions in time of war, allowing him a certain

certain stipulated portion of the revenues. By these steps, which it was unnecessary to describe more in detail, the nabob sunk into a state of political insignificance; and, though still possessed of very important and valuable rights, became, virtually, dependent on our good faith and power.

Now, what was likely to be the effect of this order of things on the character and conduct of the prince in question? It was plainly his interest, and would naturally be his wish, to preserve peace with all his neighbours; war not only would give him nothing, but would, while it lasted, deprive him of almost all that he possessed. Submission, in a certain degree, to his British allies, his circumstances naturally prescribed to him; at the same time it could hardly be expected that his friendship towards them should be extremely zealous, or that the services to which it called him should be performed with great activity. It even could not be considered as surprising if his obedience should be not only languid, but mixed with some feelings of jealousy towards those by whom, under the name of allies, he was so completely overtopped and humbled; and this the more especially, because our occasional assumption of a part of his dominions, and repeated propositions to him to resign the management of the whole, could not but suggest to him some uneasy anticipations with respect to the probable event of these encroachments.

With all this, it did not follow that he was likely to be disaffected to us in any sense which would imply an endeavour to shake off our alliance; and for this short reason, that our alliance, with all its attendant inconveniences, was palpably a far smaller evil than a rupture with us. He had no means, nor could have the faintest hopes of bettering his condition by any change. In point of fact, it could not be disputed that he had acted up to the principle of a common cause, at least till after the peace with Tippoo in 1784. An attempt had, indeed, been made, as the papers on the table would shew, to prove that Mahomed Ali had been engaged in a perfidious negotiation with Hyder so early as the year 1773. This attempt was well worthy of observation. In the records of Seringpatam, there had been discovered some letters addressed to Hyder from his ambassador at the court of Mahomed Ali, in which the writer reported various complimentary and friendly expressions used by the nabob towards the sultaun. Instantly the Bengal government began to stigmatise this shameful breach of faith in Mahomed Ali, and this antiquated correspondence was used as illustrative of the systematic treachery charged on the unfortunate family of that prince. It had, however, since appeared, that all those professions and overtures of attachment towards Hyder had sprung from the suggestions and wishes of the British government of that time, whose most earnest desire it was that the nabob would so far overcome his rooted aversion towards the Mysorean as to maintain a pacific and friendly intercourse with him. The lessons to be drawn from this memorable fact were too obvious to require any particular comment. But even had the nabob, at that early period, cherished any expectations of emancipating himself from the yoke of our alliance, it was impossible

possible that he should have persevered in such projects, when his means of realizing them were every day declining. The British power was becoming more and more preponderant; and Tippoo, the only potentate of any consequence in his neighbourhood, was divided from him by a most rancorous hereditary hatred. Least of all could we suspect him of having indulged in those alleged projects after the war of 1792. Tippoo had then been despoiled of half his territory, the French were entirely destitute of resources in India, and he himself had no army of his own whatever. His only object, then, could be to retain peaceable possession of what he had; or, at most, to conciliate, by his conduct, the good will of his neighbours, with a view to his security, in case, after all, the chances of war should, at any time, raise up some new preponderating power in the East.

It had, however, been argued on a former night, that if the nabob could so far overlook his true interests as to view with indifference the efforts of his best friends, the British, in defence of their common cause, and even by his extreme tardiness in affording them the assistance which he had promised, to impair and thwart those efforts, then it was perfectly consistent to ascribe to him the further impolicy and folly of conspiring against those friends with his natural enemies. But there was no force in this reasoning. It was not clear that those who were in some one respect unwise, might therefore be rationally suspected of every sort and degree of madness whatsoever. In the circumstances of the nabob, it was natural enough that he should fall into habits of indolence and mis-government; but it was by no means natural that he should be guilty of the palpable and unspeakable impolicy of risking all that he possessed on a speculation of the very last extravagance. The carelessness and weakness of his conduct were so far from justifying the supposition of his having really formed the arduous and desperate projects imputed to him, that they rather countenanced the contrary opinion.

In the situation of this prince, Mr Grant said, a sufficient explanation might be found of those disorders which had been stated to prevail in his administration.—What, in fact, was his interest in the welfare of his dominions? In proportion as those dominions should flourish, he was liable to an increase in the demands of the company upon him. Fearing the power of our government, and of those possessing influence in it, and feeling himself unequal to a contest of strength against such decided superiority, he was led to fortify his interests by intrigue and artifice; hence his lavish grants and his debts. From these causes, in a great measure, the disorders of his country had proceeded.—Those disorders had been sufficiently deplorable; but it was necessary to recollect that, for the system which had given birth to them, we were, at least, as much to blame as the nabob. The *divided government*, of which such bitter complaints had been made, and which we had now taken care completely to supersede, by appropriating the entire government to ourselves, had been one of our own creation; and it, therefore, seemed hard that its faults should be visited exclusively on the nabob.

From

From this review of the progress of our connection with the Carnatic, the honourable member did not think it difficult to appreciate the general nature of our relations with the nabob, or the justice of our late assumption of that whole territory. It was of very trifling consequence, and indeed was an idle dispute about words, to inquire whether the nabob had been a *dependent* or an *independent* prince; epithets, neither of which was fully applicable to his situation. His situation had, in fact, been one of a *qualified dependence*, the terms of that dependence being adjusted by formal treaties. The treaties having been framed expressly for the purpose of determining the mutual relations of the two parties, it was plain, if any thing ever was plain, that in all their mutual transactions, they were to hold the provisions of those instruments sacred; and that any inference on either part, under any pretext, beyond the limits marked out by such provisions, was altogether unjust, and a breach of faith. If, with a view, pretended or real, of rectifying the disorders of the Carnatic, we arrogated to ourselves a power which a solemn compact, freely entered into by ourselves, directly withheld from us, we acted exactly like a man who should forcibly possess himself of his neighbour's field or garden, on the alleged ground that his neighbour cultivated such field or garden very badly, and that he himself could cultivate it better! It was impossible to vindicate the forcible assumption of the Carnatic, by enumerating the various and successive concessions previously made to us by the sovereigns of that region. Those concessions had been either extorted or voluntary. If extorted, it was high time that extortion should have stopped; and, at all events, the smaller violation of plighted faith could never be considered as a precedent for the larger. If, on the other hand, those concessions had been obtained only by the methods of simple persuasion and remonstrance, (which had generally been the case) they formed a body of strong precedents in proof of the injustice of the last and greatest concession, which was admitted and avowed to have been wrung from the party by force.

The honourable gentleman (Mr. Wallace) however, who, on the former night's debate, had first defended lord Wellesley, had admitted, that the disorders of the Carnatic, however great, could not of themselves justify so strong a measure as our assumption of the country; but his argument had been, that when once the perfidy of the nabob himself had absolved us from our engagements with him, it became our duty to consider the disordered state of the country, and to push the rights accruing to us to the utmost. This argument, to be sure, assumed the perfidy of the nabob, of which he (Mr. Grant) would say something presently; but this admitted, the principle might, perhaps, abstractedly be just. It was, however, in all cases, a principle very dangerous to act upon, because highly liable to abuse; and, in the present case, there were considerations which made it totally inapplicable and preposterous. These were, that we had ourselves been mainly instrumental in producing the system which had occasioned all the miseries of the Carnatic; that the remedy which we first proposed for those miseries was one by which we were ourselves to be the first and

and the greatest gainers; and that the adoption of the remedy could cost us no other trouble than merely issuing an order. It was monstrous to assert, that a power so situated, and acting under such powerful temptations to its cupidity, should be allowed that sort of discretion claimed for it by the honourable gentleman, of pushing, with whatever purpose or pretence, its demands to the utmost. When we made an *arrangement*, (such was the mild appellation given to it,) by which the nabob surrendered every thing, and we gained every thing, it would be ridiculous to imagine that a bye-stander would construe this transaction, however it might be described, in any other light than as an instance of the most criminal ambition; and, what was worse, the construction would probably be right.

Before he proceeded to consider the alleged infractions by the nabob, of the treaty of 1792, the hon. director said he would advert in this place to the supposed policy of our measures on the occasion. An hon. gentleman (Col. Allen) had, in the former debate on the subject, taken great pains to shew the policy of those measures from this consideration, that, in the opinions of the wisest and best-informed persons, some of which opinions the hon. gentleman had quoted to the house, the division of government in the Carnatic was the great scourge of that country. All this might be allowed; and yet, in the only admissible sense of the world, the policy of our measures still remained to be proved; for the question was still to be answered, whether they were just. The hon. member, to whom he alluded, had cited the testimony of Lord Cornwallis, with respect to the inconveniencies of the divided system of government, and the advantages which might be expected from a supersession of it. He (Mr. Grant) wished that the hon. gentleman had read the rest of the paragraph, with a part of which he had presented the house, from Lord Cornwallis's letter of the 9th of July, 1792. After stating his wishes to have the entire country placed under the Company's management, his lordship thus proceeds: "But the nabob's own disposition, and the influence of a number of interested people, of a variety of descriptions, left me no ground to hope that he could be brought to give his free consent to an arrangement of that nature; and *a regard to justice and liberality towards an old ally, as well as to our own reputation in India, equally precluded the most distant idea of making use of any other means than those of persuasion,* which I knew would be ineffectual." The fact was, that the late revolution in the government of the Carnatic might have been as easily effected by Lord Cornwallis as by any succeeding governor; his power was equal, and if he had sought zealously for a pretext, one might undoubtedly have been discovered. It was very true that Lord Hobart, while governor of Madras, had proposed to force on the nabob an arrangement somewhat similar to that of lord Wellesley; he would have had the company take possession, at once, of the districts pledged for the security of the nabob's subsidy, and this in spite of the nabob's rejection of the measure. His lordship justified this proposal on the grounds described by the honourable gentleman, (Col. Allen); but the honourable gentleman had not informed

informed the House that the Supreme government of Bengal had overruled the plan of forcing the nabob into such an arrangement, as being totally inconsistent with the faith of treaties, and that their conduct had met with the approbation of the authorities at home.

Mr. GRANT here read an extract from a political letter from Bengal, containing the reasons, why the Supreme government would not consent to the proposed arrangement of lord Hobart, then governor of Madras.

The court of directors had entirely concurred in these arguments, and, accordingly, in their general letter of the 18th of October, 1797, to Fort St. George, after expressing their hope that lord Wellesley might be able to effect an arrangement with the nabob of the Carnatic, similar to that which had been projected by lord Hobart, they thus expressed themselves: "But feeling, as we do, *the necessity of maintaining our credit with the country powers by an exact observance of treaties*, a principle so honourably established under lord Cornwallis's administration, *we cannot authorise his lordship to exert other powers than those of persuasion, to induce the nabob to form a new arrangement*."

The hon. director proceeded to consider the alleged violations of the treaty of 1792 by the nabob, violations which we had been pleased to consider as releasing us from the obligation of that engagement. The principal of these were, his having granted assignments on that part of his territory which was pledged as a security for the payment of the subsidy to the Company; his tardiness and negligence in affording us the supplies which he was bound to procure, during the wars in the Carnatic; and lastly, his clandestine correspondence with Tippoo. With respect to the former, by the fifth section of the eighth article of the treaty of 1792, it had been provided, that the nabob should not grant any assignments on the revenues of the responsible districts; and that, if any such assignment should be found to exist on any of the districts, when such district should be assumed by the Company, such assignment should be declared by the Company and the nabob to be void. The nabob having, in fact, granted assignments on some of the districts in question, Lord Hobart, in justification of the arrangement of the affairs of the Carnatic, which, as had been already stated, he had recommended, declared that the nabob had violated the treaty, and, in fact, reduced it to a dead letter. To be sure it was obvious that, by the treaty, the nabob was bound either not to assign the revenues of the responsible districts, or, having assigned them, to declare those assignments void, whenever the districts should fall into the Company's hands. If he did not this, he violated the treaty. But that the simple act of assigning the revenues, when done on pain of having the assignment avoided, should of itself be considered as amounting to a dissolution of the treaty, and as authorising us to remodel the whole of that engagement, seemed to be a very questionable doctrine. Lord Hobart, however, had contended, and his arguments had been repeated on the present occasion, that the avoidance of the grant was evidently a penalty attaching, not on the nabob, but on the money lender; and, consequently, that the former must be liable to some further penalty,

penalty, since the treaty never could have intended to exempt him from all blame in the event of his making the obnoxious grants.--- These arguments, when they were first urged by Lord Hobart, had not convinced the Bengal government of that time, nor the authorities at home; and it was for the house to judge whether such a construction of a plain instrument was to be endured, or whether it was consistent with British candour, humanity, and justice, to quibble away the entire dominions of a prince on such pretences. To say nothing more, it seemed strange that the avoidance of a sovereign's grants should be represented as no sort of injury to that sovereign; and besides this, Lord Hobart, in arguing that the assignments by the nabob, being breaches of his engagement, ought to expose him to some further penalty, had assumed the very thing in dispute, which was, whether the mere act of assignment, so long as that assignment was understood to be conditional and subject to avoidance, was, in fact, a breach of the nabob's engagement. But it was unnecessary to discuss this matter further; when the whole question was, not whether the nabob had in all points strictly adhered to the treaty, but whether he had so violated it as to incur the enormous penalty which had been exacted from his family. Now, on a point which, to say the least of it, turned on a very doubtful construction, how could so monstrous a proposition possibly be maintained?

As to the tardiness and negligence of the nabob in supplying us with money, provisions and carriages, during the time of war, this the governor-general had represented as a decisive symptom of systematic hostility of mind. This charge, however, like the rest, was not confined to the nabob Omdut ul Omrah, but had been made to reflect back on his father, Mahomed Ali. Both those princes were represented as having been "hostile to the full extent of their active powers, and according to their means and opportunities." The hon. director referred here to what he had already said respecting the peculiar circumstances in which the nabobs of the Carnatic had been placed by their connection with the Company; and argued, that their conduct had been such as we might naturally have expected, and ought to have forgiven. What had been harshly called "a *systematic deception* in the provision of funds," was nothing more than was common to the Asiatics. When we entered into treaties with the nabobs of the Carnatic, we were aware of this. We were, in early times, perfectly well acquainted with the Asiatic character, and had been extremely tolerant of its known defects, so long as such toleration had suited us. Surely it became us to persevere in the same liberal system. As to the systematic hostility of the nabobs, the charge was unjust and cruel. They had been backward to pay, because their plain interest was to pay as little as possible. But was this to be swelled into a proof of hostility? In 1779, when there was a confederacy entered into among the native powers of India against the Company, what was the conduct of Mahomed Ali? Had he been before that time inimically disposed towards us (as had been alleged) he would have hailed this as an excellent opportunity of gratifying his inclinations. He would, at least, have connived at the plot. He would

would have suffered it to ripen in silence. Did he thus conduct himself? On the contrary, he no sooner received a hint of the existence of such a combination, than he communicated it to the governor-general, and strongly pressed on him the necessity of instant preparation. Mr. Grant said, he held in his hand the letter written by the nabob on this memorable occasion. With respect to the alleged perfidy of Mahomed Ali in 1773, the hon. director said, he had already sufficiently explained that matter. What could be worse, than thus to traduce the characters of our departed allies?

But there was another pretended breach of the treaty of 1792 on the part of the nabobs. He alluded to their clandestine correspondence with Tippoo.

On the correspondence itself, Mr. Grant said he would remark presently, but there were some preliminary observations which suggested themselves. It was plain from the papers, that for some time before the discovery of the letters in question, the government of India had been strongly inclined to a very decisive and authoritative interference in the affairs of the Carnatic, and, indeed, to an assumption of a good part, at least, of that country. Now, with this bias on their minds, it might be expected that they would be disposed to seek every possible colour for the measures they were projecting, and, consequently, would be far from impartial judges of any thing in the nabob's conduct that afforded the slightest ground for suspicion and complaint. The truth was, they had read these letters with evil eyes, and had conducted the whole affair of the assumption with such an utter disregard of justice, as was quite inexplicable on any other supposition than that of a pre-determination on their part to seize the country by some means or other. It was allowed on all sides, that the letters contained no direct or palpable proof of the nabob's having conspired against the company. Those who thought the worst of them, were reduced to a great deal of circuitous construction, and of inference from obscure allusions. It was true that, in order to throw light on the subject, some persons, through whose hands this correspondence had originally passed, and who, indeed, had themselves written some of the letters, had been examined. It was perfectly notorious, however, that this examination had brought nothing of any importance to light, excepting so far as it had satisfactorily explained some of the most suspicious parts of the correspondence. This had been distinctly allowed by the governor-general himself, whose words in one of the documents on the table (letter to Lord Clive of 28th May, 1801) were, "The tendency of those examinations is of a nature, *in some important parts of the evidence, rather to weaken* than *to confirm the impression made on my mind by the written documents*." This was curious, and it was curious also, that, notwithstanding the known servility of the Asiatic character, and the strong and manifest indications which had been given to the persons examined, that the discovery of the nabob's guilt would be highly agreeable to the British government, not one of those persons admitted the criminal plots ascribed to the nabob, though some of them at least must have been privy to such plots, and though they

they were not, nor ever had been, in any way connected with the nabob's family. Under these circumstances, it was impossible for the warmest advocate of the late arrangements, to assert that the case was free from difficulty. Indeed, an hon. gentleman (Mr. Wallace) in a former debate, had allowed that the evidence against the nabob was not such as might be requisite in a British court of justice; he had, however, added, that it was such as nations were compelled to act upon, if they had any regard to their own safety. *Compelled!* Nations in general might be compelled, but *we* certainly had not been compelled. We had voluntarily and deliberately stopped short in our inquiries, at the very moment when we were admitting that some important circumstances of suspicion had been completely explained. We had not asked a single question of any person connected with the nabob, not even of his minister, Khader Nawaz Khan, who was himself deeply implicated in the suspicions attaching on the nabob, and was residing at Madras at the very time of the examination. But, what was infinitely worse than all, we had, in contempt of the very first principle of justice, altogether refused to hear the accused in his own defence. When the Bengal government had first issued their directions to Lord Clive, to negotiate the transfer of the Carnatic into our hands, on the ground of the nahob Omdut ul Omrah's treachery, that person was himself alive. Those directions were on the table of the House; and, incredible as it might seem, it appeared that the nabob, so accused, and so to be punished, was to be addressed, not with remonstrance, not with a demand of explanation, not with a single question of inquiry: no, the very first communication to be made to him was, that, by his treachery, he had irrecoverably forfeited the whole of his dominions, and that the determination of the British government was final. The instructions of the governor-general on this head were peremptory, and, in fact, they were obeyed with a scrupulous exactness; for, though Omdut ul Omrah had died just before the fatal blow was struck, there could be no doubt that his son and presumptive successor, who then stood in his place, had a perfect right to be heard in defence of his father's fame and his own rights. This, however, was refused. The two khans, under whose guardianship the young prince had been placed by the late nabob, undertook (as the report of the British deputies mentioned) "that, upon being furnished with the proofs of the supposed treacherous intercourse between Tippoo Sultaun and the family of the nabob Mahomed Ali, such explanations should be afforded, and such answers given, as the different cases might require, and that the proofs being compaerd, the Company might form a complete judgment." This most equitable proposition was instantly stifled, and the khans were informed, "that in cases of disputed points between independent powers, neither party could erect itself into a judge of the conduct of the other party." The deputies, therefore, in strict conformity with their instructions, refused to hear any more on the subject, and insisted on the immediate transfer of the Carnatic into our possession. Was it possible to conceive a more shameful proceeding than this, or a more extraordi-

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nary plea than that which had been employed in defence of it? Undoubtedly, independent powers could not ordinarily sit in judgment on each other. The reason was, because independent powers would not ordinarily submit their conduct to such an inquest, or, if they submitted to the inquest, they would probably not submit to the decision. Still the judicial method of proceeding was always adopted so far as was practicable; for was it not always expected that remonstrance should precede hostilities? or would it be endured, except perhaps in cases of the last necessity, that a power, having reasons, however strong, to suspect another of ill faith and perfidy, should summarily proceed to destroy the other, without a single previous word of expostulation or enquiry? But, in the present instance, we had a power voluntarily surrendering itself to judgment, imploring to be put on its trial, and at the same time notoriously unable to offer a moment's resistance to any sentence that might be pronounced, how harsh and tyrannical soever; and then we had this power completely annihilated without a hearing, on the pretence that independent powers could not sit in judgment on each other! Not the least extraordinary feature of this transaction was, that we had for once, that is, at the only time when our convenience required it, admitted the nabob to be an *independent* power. But, however inconsistent this might seem, it was exactly in character.

The hon. director then went on to make some comments on the clandestine correspondence between the nabobs and Tippoo. In considering it, he said, it was curious to observe the contradictory explanations given of several parts of it by those who wished to extract from it proofs of the disaffection of the nabobs to the British, and also the manner in which some of those persons had been forced to abandon several of the grounds on which they had at first relied the most firmly.

Mr. Grant here examined the letters of the various parties, in a general way—and contended that they contained little more than a parade of friendship and Asiatic etiquette.

The only suspicious circumstance in the whole correspondence was the cypher. But what, after all, could be extracted from it? No use had ever been made of it. It was remarkably ill-calculated for use, because remarkably deficient; and if it had been seriously intended for use, why it should have been left so deficient no possible reason could be assigned. If it meant any thing more than one of those idle pieces of Oriental ceremony and affected mystery, which it was difficult for us to understand; or if, at the worst, it had any character beyond that of a false and inefficient token of an attachment merely pretended, still it was impossible to draw from it any such strong presumptions against the nabob as we could safely and fairly act upon. At the most, it could only be a subject of inquiry and discussion, not of extreme and exemplary punishment.

Mr. GRANT said, it was unnecessary for him to remark how many expressions in this correspondence, which had originally appeared suspicious, now confessedly stood explained from the affair of the marriage, and how completely the deductions, so triumphantly drawn from those expressions, had failed.

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On the whole, indeed, what could be made of this pretended conspiracy between the nabobs and Tippoo, when, upwards of a twelvemonth after its alleged commencement, and just before the departure of the vakeels, who were supposed to have conducted it at Arcot, we found Omdut ul Omrah only then proposing the establishment of a *cordial harmony* between his father and the sultaun? An hon. gentleman (Mr. Wallace) had contended that by the *cordial harmony*, for the establishment of which the prince seemed so anxious, something much more extensive than the expression ordinarily conveyed must have been intended; otherwise, as he thought, the passage would be nonsense; that is, to prevent the passage from being nonsense, he chose to understand the words in a sense which they had never been known to bear; a contrivance certainly, by which any sense might be affixed to any passage. The fact was, that the passage *was* nonsense, and intended *for such*; it was nothing but a collection of unmeaning and extravagant professions. The hon. gentleman had asserted, that he was not bound to assign any rational cause for the supposed conduct of the nabobs in conspiring with the mortal enemy of their own family and their allies. Perhaps not, if the fact of the conspiracy was fully and fairly proved; but if, as was the case, this fact was only presumed from the papers,—was confessedly a matter of inference, and of choice between opposing probabilities and difficulties,—then, surely, all those who professed to believe it were bound to reconcile it with all the circumstances of the case. Among other circumstances, too, they had to reconcile it with, this very extraordinary one, that a conspiracy which lasted for years should have never ostensibly proceeded beyond vague professions of mutual friendship.

To compensate for the palpable deficiencies in the evidence, another sort of argument had been resorted to. The bare circumstance of a correspondence, however innocent that correspondence might be, between the nabobs and the sultaun, was, it seems, a breach of the treaty of 1792. Now, the true question here was, whether, supposing such a correspondence to have taken place, as all would allow to be evidently innocent, any one individual would have been found to maintain that we should have been justified in punishing this venial breach of treaty by disfranchising the nabob of his entire dominions? If not, what was the use of this argument, until it should previously be proved that the correspondence which had taken place was actually of a treacherous and treasonable nature? Why, the argument failed in the only case in which there was any necessity for applying to it.

Mr. Grant then commented on the treatment which the nabob's family had received, which, even admitting the truth of the charges brought against them, and much more when the problematical nature of those charges was considered, he stigmatised as arbitrary, unjust, and cruel. Suppose Mahomed Ali and Omdut ul Omrah to have reduced themselves, as they were said to have done, to the condition of public enemies, was it an usual practice among nations to annihilate their public enemies? To warrant such severity, a very strong case, at least, was requisite, instead of the miserable, constructive, and, at the best, doubtful case, which

which had been made out by the authors of this transaction. After all, too, that had been said, every mind must feel that it was harsh to enforce the punishment on the unoffending son of the nabob; and, at least, that Omdut ul Omrah's death imposed on the British government a strong additional obligation to investigate the circumstances of his alleged offences. But it was said, that these offences had not been personal; and that the heir was bound to make to us that reparation, and to afford us those pledges of security, which we had a right to demand of his ancestor. Reparation for what? The utmost actual injury which, even according to the elaborate, and certainly not very indulgent reports, of the Bengal government, we had sustained, had been an habitual delay in the provision of supplies; and, by way of reparation, we deliberately seize the whole country! But our 'security.'—Why, what was the amount of the danger? Suppose the late nabob to have been as hostile as he is represented; make, too, the iniquitous assumption that his heir was equally hostile; still, how far did their hostility endanger us? They had not a regiment in their service, nor a pagoda in their public treasury. "But they might be tardy in providing us with supplies." And, to guard against this danger, we hurl them at once from the throne! No doubt there might be occasions when a delay of supplies might be a very great evil; so there might be occasions, when the smallest particle of power in the hands of a foreign state, nay (to put a very strong case indeed,) when such a mere mockery and name of power as we had now left to the nabob of the Carnatic, might, by a strange concurrence of events, prove most seriously detrimental to our interests; and, therefore, if the doctrine of our being justified in securing ourselves against every possible or conceivable danger was to be tolerated, we should be justified in levelling and destroying every thing within our reach, and effacing, as far as we could, every vestige of other independency than our own throughout the world.

A great deal had been said on a former night, as a great deal was said in the papers on the table, of the extreme moderation of the British government, both in their *arrangement*, as it was called, for the Carnatic, and in their having proposed to carry it into effect by the mode of friendly negotiation. As to the former, we had avowedly reduced the nabob to the condition of a mere puppet, without a single shred of his former power; as to the latter, we had authoritatively announced to him this arrangement, and, refusing to listen to any objection, had insisted on his immediate and unconditional acquiescence, on pain of having the very same arrangement carried into effect without his consent, and losing even the name of power into the bargain. Such have been our moderation! such our lenity! qualities which we might parade, but for which we should probably gain as much credit, as we should for having acted from a pure and disinterested benevolence towards the inhabitants of the Carnatic in determining to make the whole of that large territory our own.

On the whole, the hon. director said, he was decidedly of opinion, that not only was there nothing like legal evidence of the offences imputed

puted to the late nabobs of the Carnatic, but even no such presumption as an individual or a nation could act upon with any regard to justice; that, at least, all the inquiry practicable should have been made on the occasion, and that the omission of such inquiry left a suspicion very unfavourable to the authors of the late arrangement; that, at all events, mere presumption, and presumption so formed, could be no warrant for despoiling a family of a kingdom; that so strong a measure, even had it been otherwise justifiable, was not required for our security; and that it would be generally set to the account of unprincipled rapacity, and redound to the dishonour of the British name in the East. For these reasons, though he did not, in every point, perfectly accord with the terms of the Resolutions proposed, he entirely acquiesced in the scope and substance of them, and would support them by his vote.

Mr. S. R. Lushington.--Mr. Speaker; differing as I do entirely from the hon. member who has just sat down, from the hon. baronet who opened the debate on a former night, and from the hon. member, (Mr. G. Johnstone) who spoke from the floor, I shall state the reasons for that difference, for the consideration of the house. Without following each of those hon. members through the lengthened detail of their speeches, I shall endeavour to reply to the propositions they have laboured to establish, and which were, I believe, in abstract, these: that, in the beginning of the connection between the East India Company and the family of Mahomed Ali, the Company were indebted to them for their preservation and protection in the Carnatic; that, in the progress of that connection, the Company received from Mahomed Ali repeated proofs of kindness and generosity; but that his government, and that of his son and successor, Omdut ul Omrah, was distracted by the interference of the Company, and that war and misery resulted to the people from the ambition and usurpation of their governments: that, after a long course of faithful and honourable alliance on the part of those nabobs, their posterity have been degraded without cause or justice; that this act of violence has carried its own punishment, for that we receive fewer resources by our possession of the Carnatic than we formerly derived from the willing hands of the nabob. Sir, believing, as I conscientiously do, that the exact reverse of these propositions is the truth; that the Company owe nothing to the father of Mahomed Ali; that to himself they were uniformly benefactors and protectors; that all the faith in the alliance with him was on their part, and all the treachery on his; and that after a long course of suffering and distress from his evil counsels, they have done what true policy, a just construction of the law of nations, and humanity to the people of the Carnatic, fully support; I shall explain to the house the grounds of this opinion. The misrepresentation which has been made of our situation on the coast of Coromandel during the administration of Anwar u Dien Cawn, renders it necessary for me to trouble the house with a short reference to our condition at that early period.

The hon. member traced, in this place, the progress of the connection of Anwer u Dien Cawn, and his successors, with the East India Company, and drew inferences from it, in direct opposition to those

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of the preceding speaker. He peculiarly animadverted on the mal-administration of the affairs of the Carnatic by the successive nabobs, relying on the authority of Mr. Burke's statements, and the communications of the several Indian governments. Having conducted the house to the treaty of 1792, he proceeded,

With the permission of the House, I will read the preamble of that treaty, as the best explanation of Lord Cornwallis's intentions in making it. "Whereas a certain engagement was entered into between the hon. English East India Company and his highness the nawaub of the Carnatic, bearing date 24th February, 1787, for the purpose of cementing an everlasting friendship with each other, and of contributing mutually towards the defence of the Carnatic, and countries dependant thereon; whereby it was stipulated that the said com-Company should maintain a military force, and that the said nawaub should pay annually a certain sum of money arising from the revenues of the Carnatic, and should furnish sufficient and satisfactory security, under certain conditions expressed in the said engagement, for the regular payment of the sum stipulated to the said Company; and whereas it appears by the representations of the said nawaub, that the resources of the Carnatic are not competent to enable him to perform the stipulations in the said engagement; and whereas it further appears that the security which the said nawaub agreed in the above-mentioned engagement to furnish for the due payment of the stipulated sum to the Company, is in its nature inadequate to the end intended; wherefore the engagement aforesaid shall henceforth be considered by the contracting parties as annulled, and in lieu thereof the following articles agreed to." From this preamble to the treaty of 1792, it will be seen, that in forming a new treaty with Mahomed Ali, Lord Cornwallis had two principal objects in view; first, the generous one of relieving the nabob from a payment which he believed burthensome to him, and his lordship accordingly reduced his annual payments from twenty-one to fifteen lacs of sicca pagodas; secondly, to obtain a real security for the payment of the subsidy to the Company in all time to come. The security provided was the mortgage of particular districts, which were to be taken by the Company in the event of failure; and that these districts might not be injured by that system of extortion and usury by which the people had been so cruelly oppressed, and the Carnatic so much exhausted, it was stipulated that his highness should not, on any account, grant tuncaws; and in order to render the breach of this part of the treaty more improbable and difficult, it was further stipulated, that any tuncaws which might be granted should become void, in event of the districts coming into the company's hands; thus providing a double security against the violation of this article of the treaty: the first part of the clause pledging the nabob's faith as our ally, the last part operating on the fears of the money-lenders.

The importance which lord Cornwallis attached to the security provided by the clause of the treaty here alluded to, and to the preservation of that security from acts of injury and waste, is sufficiently shewn by the relinquishment of six lacs of pagodas annually. This large cession had been unjustifiable

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on any other ground, but if the nabob had fulfilled this part of the treaty it had been well bestowed. The evils which had arisen from this system in past times were well known to lord Cornwallis, and his humane mind anxiously desired to prevent the possibility of their recurrence. We know what a scene the Carnatic had presented during these operations; they had been described by Burke in the following words: "In consequence of this double game, all the territorial revenues have, at one time or other, been covered by those locusts, the English soucars; not one single foot of the Carnatic has escaped them, a territory as large as England. During these operations, what a scene has that country presented! The usurious European assignee supersedes the nabob's native farmer of the revenues, the farmer flies to the nabob's presence to claim his bargain, whilst his servants murmur for wages, and his soldiers mutiny for pay; the mortgage to the European assignee is then resumed, and the native farmer replaced, again to be removed on the new clamour of the European assignee. Every man of rank and landed fortune being long since extinguished, the remaining miserable last cultivator, who grows to the soil, after having his back scored by the farmer, has it again flayed by the whip of the assignee, and is thus, by a ravenous, because a short-lived, succession of claimants, lashed from oppressor to oppressor, whilst a single drop of blood is left as the means of extorting a single grain of corn. Do not think I paint; far, very far from it; I do not reach the fact, nor approach to it; men of respectable condition, men equal to your substantial English yeomen, are daily tied up and scourged, to answer the multiplied demands of various contending and contradictory titles, all issuing from one and the same source. Tyrannous exaction brings on servile concealment, and that again calls forth tyrannous coercion; they move in a circle, mutually producing and produced, till at length nothing of humanity is left in the government; no trait of integrity, spirit, or manliness, in the people." It was under impressions such as are here described, that lord Cornwallis had written to the court of directors, in the year 1790, in the terms quoted by my honourable friend (colonel Allen) in the former debate; and after two years further experience and local observation of the state of the Carnatic, lord Cornwallis determined to relinquish six lacs of pagodas annually to the nabob, without acquiring any other concession for the company than the following clauses, intended to put an end to that clandestine influence which the worst Europeans had so long exercised at the durbar, and the right to collect the poligar tribute at the company's own expense and risk. "In consequence of this measure, whereby the districts mentioned in the schedule, No. 2, become responsible for any arrears that may accrue in the payment of the above stipulated kists, the said nawaub agrees that he will not grant tuncaws, or assignments, on any account on the revenues thereof; and if, contrary to this condition, any tuncaws, or assignments, should exist when the said districts, or any of them, shall be assumed by the said company, such tuncaws, or assignments shall be declared by the said company and the said nawaub to be

be of no value, nor shall they remain in effect."

It appears to me quite evident, as I have already stated, that the intention of lord Cornwallis in framing this clause was, first to bind the faith of the nabob against the breach of it, and, secondly, to operate upon the fears of the tunkhadars, so as to restrain them from encouraging the nabob to the secret violation of it. But the men who had established an usurious connection at the durbar, saw from the moment that the treaty of 1792 was published, that the faithful execution of these clauses would destroy their profit, by putting an end to that secret influence which had so long alienated the nabob's confidence from the local government of the company, and precluded the possibility of any reform in his administration; it was therefore suggested to the nabob, that as the clause contained a specific penalty which attached only upon the money-lender, his highness might break his faith with the company without fear of any evil consequence to himself; and as he had always contended, with eagerness and passion, for delivering up to his pretended creditors his territories and his subjects, he again indulged in this inveterate habit. The calamitous process of these tuncaws has been most ably and minutely described by lord Hobart, who was continually embroiled with the durbar and its agents on account of the breach of this part of the treaty. Whoever has read the minute and the letter of lord Hobart to the court of directors, dated the 15th of September, 1792, will recollect that lord Hobart regarded the granting of these tuncaws by the nabob, as a fundamental violation of the letter and spirit of the treaty of 1792. Nor was his lordship singular in this opinion; I speak from personal knowledge, when I say that all the best servants of the company entertained the same opinion; and we know that the government at home, and the court of directors, fully concurred in this conclusion, as appears from many of their public dispatches, and particularly the following, dated the 5th of June, 1799, to the government of Fort St. George: "We have been advised by the earl of Mornington, that the nabob continues to oppose a determined resolution to the modification of the treaty of 1792, which has been repeatedly proposed to him. At the same time, we observe that his highness has distinctly acknowledged that he is in the practice of raising money annually by assignments of the revenues of those districts which form the security for the payment of the company's subsidy. As this practice is unquestionably contrary to the letter, and subversive of the spirit, of that treaty, we direct, that immediately upon the receipt hereof, you adopt the necessary measures for taking possession, in the name of the company, of the whole, or any part of the said districts, the revenue of which shall appear to be so assigned; and that you continue to hold the same, and collect the rents thereof, in order that the company may not, in future, be deprived of the only security which they possess under the before-mentioned treaty, to answer any failure in the nabob in the discharge of his subsidy; you will immediately communicate to the nabob the determination we have come to, and the orders you have received relative to this point."

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I have entered into this detail, to shew that the interpretation subsequently put upon this article of the treaty, (and the conduct of Omdut ul Omrah, in regard to it) by Marquis Wellesley and by lord Clive, was not an arbitrary or hasty construction of those noble lords; but that it was the impartial concurring judgment of the company's best servants at Fort St. George, of lord Hobart, of the court of directors, and of the board of controul, for a period of seven years. If, therefore, the arrangement made with Azeem ul Dowlah upon the death of Omdut ul Omrah, and the absolute refusal of Ali Hussein to give the company a security against the future breach of the treaty of 1792, had rested on this ground alone, I should have contended that it was warranted by the letter and spirit of the instructions transmitted by the court of directors to India, (who had also expressly ordered that the country should not be restored to the nabob in the event of war, until a better arrangement could be made with him;) that it was justified by the law of nations, and the duties of humanity to our fellow-creatures. But the house knows that the arrangement made with Azeem ul Dowlah, is supported also upon other grounds; I mean, of course, the treacherous correspondence discovered at Seringapatam, coupled with the embarrassments opposed by the nabob, to the collection and movement of our supplies during the last war with Tippoo. I shall now briefly examine that evidence. This part of the question has already received a very ample discussion in India, where every argument and objection could be best felt and appreciated. It has been carefully investigated by men possessed of that knowledge of the Eastern languages and manners, which rendered them peculiarly fitted for this trust; men whose characters were never tainted by the breath of slander until the honourable baronet delivered his speech in the former debate; and who, far from deserving such treatment, are entitled, for their public honour and public usefulness, to the protection and applause of this house. The right honourable member, who spoke second in this debate, on a former night, delivered his sentiments with so much perspicuity and judgment upon the nature of this evidence, that I shall confine my remarks to those impressions which local knowledge, and a tolerable acquaintance with Persian correspondence, have suggested to me during the examination of it. In doing so, I shall follow the order in which the correspondence is recorded; not imitating the example of the honourable baronet, who, in pursuit of his purpose of throwing a ridicule upon this evidence, thought fit to postpone the burden of examining the cypher (which he knew to be the document of the most hostile tendency, and essentially necessary to give the true meaning of certain passages in other letters) until he had slurred over all the other documents. In examining the first number, I am reminded that the honourable director, in adverting to this evidence, stated that nothing could be more unjust than to attach any imputation upon the character or truth of Wallah Jah, or Omdut ul Omrah, on account of this correspondence, since the facts regarded as most obnoxious were communicated in the presence of lord Cornwallis and Sir William Meadows. Sir, it is evident to me that

that the honourable director has not accurately examined this correspondence. Those professions where Wallah Jah attempts to raise himself in the estimation of Tippoo by a gross calumny against the British government, his ally, were not made in the presence of lord Cornwallis and Sir W. Meadows, nor was any part of the correspondence communicated to either of them. The instance to which I allude, is where Wallah Jah speaks of the war undertaken by lord Cornwallis against Tippoo Sultaun, in the year 1789. Wallah Jah knew, perfectly well, that lord Cornwallis had engaged in that war from the generous resolution of protecting our helpless ally, the Rajah of Travancore; and yet Wallah Jah tells Tippoo Sultaun's vakeels, "May God long preserve Tippoo Sultaun, who is the pillar of the religion of Mahomed!—Night and day I used to be absorbed in this contemplation, and to pray for his highness's prosperity: I call God to witness this fact, because the confederacy of the three allies was for the subversion of the Mahomedan religion. It is solely to be attributed to the divine goodness, that the prayers of us sinners have been accepted; believe it true that I from my heart desire the welfare of the sultaun." Three days afterwards, when lord Cornwallis and Sir W. Meadows were present with the vakeels, Wallah Jah took occasion to observe, "that we (the vakeels) considered him to have been an enemy; whereas he declared in the presence of God, that he was not, and is not; that, on the contrary, he was a friend and well-wisher; and that he had opposed the breach between your majesty and the allied states to such a degree, that every one decided, in his own mind, that inwardly your majesty and his highness were one; and he desired us to ask lord Cornwallis and Sir W. Meadows, who were present, whether he said true or not." Every person, acquainted with the situation of Wallah Jah, knows that he did oppose the war, and the cause of that opposition. We know he feared, if war did take place, that lord Cornwallis would be necessitated to assume the temporary possession of the Carnatic; and rather than this should happen, Wallah Jah was perfectly willing, and anxious, that the Rajah of Travancore, like himself, a helpless ally of our government, should be abandoned by the British government to the violence of Tippoo. Let those who are acquainted with the mind of lord Cornwallis judge what would have been his feelings, if Wallah Jah had told the vakeels of Tippoo, in his lordship's presence, that he had attacked their master, not in the defence of the Rajah of Travancore, but to subvert the Mahomedan religion.—This communication was, however, made by Wallah Jah, but to the vakeels in secret, not in the presence, or with the knowledge of lord Cornwallis; far, therefore, from considering the offensive nature of the first speech to the vakeels, on the 10th of June, as done away by that made in the presence of lord Cornwallis, on the 13th of June, or that any part of the criminality of the whole of this correspondence is explained by any communication that took place with lord Cornwallis, it appears to me that the reference made to lord Cornwallis and General Meadows in the presence of the vakeels, was one of those studied contrivances in which his highness was so fertile,

tile, and by which he endeavoured to gain, by general professions of friendship for Tippoo in the hearing of lord Cornwallis, the confidence of the vakeels in his previous defamation of his lordship's motives for entering into the war.

In the few remarks which the hon. baronet bestowed upon the cypher, he declared that the use of such instruments was a common occurrence in India; and that it was impossible to conceive a cypher like this, so simple and limited in its expressions, capable of being intended or used for any treacherous or hostile purpose. I certainly differ entirely from the hon. baronet in his opinion of the frequent use of cyphers of this description in India; in the affairs of private life such instruments never are used, and even in political transactions the use of a cypher is a very rare occurrence. But the hon. baronet would prove nothing by proving the use of such cyphers in political correspondence in India, because Wallah Jah and Omdut ul Omrah were wisely interdicted by the treaty of 1792 (as they had been by the treaty of 1787) "from entering into any negotiations or political correspondence with any European or native powers without the consent of the said Company." It has, however, been suggested, that this cypher was intended to conduct a marriage between the families of Tippoo and Wallah Jah. I will not detain the House by going into all the reasoning founded upon other parts of the evidence, written and oral, to shew the absurdity of this proposition; but I will state plainly, upon a view of the cypher itself, the utter impossibility of applying it to any purpose of marriage. The only expression in it which might lead to such a supposition in the mind of a person ignorant of Eastern manners and languages, is the word 'ring!' but as a ring is not used in Eastern marriages, it can have no reference to that ceremony. Rejecting, therefore, this absurd, irrational proposition, which is directly contradicted by the evidence of the vakeels, and all the circumstances so forcibly stated by the right hon. gentleman (Mr. Wallace) in the former debate, I must look for a different explanation of the intention of this cypher. Upon the first view of this document, the opprobrious terms in which the three allies are designated, cannot fail to strike attention; but it has still been asserted to be so limited as to preclude the use of it in any matter of policy or secrecy. This assertion made a due impression upon me when I first heard it; and I felt it my duty to put it to the test by composing a letter that should describe an atrocious intention (such as the massacre at Vellore) and then endeavour to render it into the language of this cypher, so that it would be unintelligible to a person not possessed of it, and easily understood by a person having the cypher. I can assure the hon. gentleman opposite that I found no difficulty whatever in applying this cypher in this manner, and further, that this sort of metaphorical cypher best corresponds with the genius and character of the people. The next document which was particularly objected to by the hon. baronet was, the translation of a copy of a letter of Tippoo Sultaun to Wallah Jah, in which some of the terms are actually used. The hon. baronet asked, as this was only a copy of a letter, "who could say that the original was ever sent? it might have been composed by Tippoo for

for amusement, and honourable members in this House well know that themselves sometimes composed letters which they did not afterwards send." Sir, when I recollect the manner and the place where this letter was found, that it was discovered in the office of Tippoo Sultaun, and when I recollect the remarkable regularity of the sultaun in matters of business, I cannot subscribe to the puerile idea of the hon. baronet, that this letter might have been composed for amusement. The hon. baronet, and others of us, may write letters, or compose speeches intended to be spoken, and which we have no opportunity of speaking; but in affairs of state, when I find in an office of state a copy of a letter sent, I cannot reconcile to my mind the absurdity of denying all credit to it because there is a bare possibility that it might not have been sent. This sort of objection may be very proper in a court of law; but I trust that those who have to guard the safety of this country from foreign treachery, will not wait for this sort of evidence before they act against impending danger. The objection made by the hon. baronet to the next number was, I think, of a nature equally unreasonable. It is a translation of a copy of a letter from Tippoo Sultaun to Omdut ul Omrah, the nabob of the Carnatic; and as this letter is dated Nov. 29, 1792, when Omdut ul Omrah was not nabob of the Carnatic; this circumstance made the letter look to the hon. baronet like a forgery. The title given to Tippoo Sultaun must be regarded as the act of the translator, who would not waste his time in translating all the nonsense of these titles; but knowing that Omdut ul Omrah was nabob of the Carnatic at the time he was translating the letter, he gave him the title which he then possessed: such is the obvious solution of this great mystery. The next letter which I shall notice is No. 11: it is from the vakeels of Tippoo to their master, where Omdut ul Omrah says: "You will give my respectful compliments by way of remembrance to his majesty, and inform him that he may consider me from my heart attached to him; and that, please God, at a proper occasion, my fidelity towards him shall be made manifest to him." Sir, I am disposed in the examination of this correspondence to make the largest allowance for the exaggerated professions of friendship which the natives, and particularly the princes, of India, are in the habit of making to each other; but when those professions are accompanied by actions, we can no longer doubt the sincerity of the intention. I remember what anxiety the British government suffered from the treacherous conduct of Omdut ul Omrah, in promising money which he afterwards withheld, and from the hostile obstructions of his officers to our supplies in the war against Tippoo in 1799; and I do firmly believe that he did then fulfil the professions which he had made in 1792 to the sultaun, to the utmost limit of his power, consistent with the prudent concealment of his purpose from Lord Wellesley's discernment. The hon. baronet treated with a considerable degree of ridicule, "a translation of a note written with a pencil upon a half-sheet of post paper, with an envelope of English paper, by his highness Omdut ul Omrah, apparently addressed to Gholaum Ali Khan." This letter, though signed Gholaum Hussein, was imputed to Omdut ul Omrah, and without

any

any evidence was assigned to Gholaum Ali Khan.

These objections of the honourable baronet are easily removed: Omdut ul Omrah often signed the name of Gholaum Hussein to his letters, and frequently made use of English paper and a pencil. I have myself received a letter of this description from him; and Mr. Edmonstone, the translator, than whom, perhaps, there never was a gentleman in India more skilful in Persian writing, knew Omdut ul Omrah's hand-writing perfectly well. In regard to the letter being apparently addressed to Gholaum Ali Khan, it is almost impossible to assign it to any other person. From the contents of the letter, it was certainly addressed to a syeed in the confidence of Omdut ul Omrah, about the person of Tippoo, and connected with Ali Rheza Khan: such was Gholaum Ali's situation; he was a syeed, and had been, jointly with Ali Rheza, the channel of communication between Omdut ul Omrah and Tippoo, and was still at Seringapatam. The last letter which I shall notice is one written by Omdut ul Omrah to Gholaum Ali Khan, in the year 1797, when he was nabob of the Carnatic. To this letter and the contents of it the honourable baronet objected, as being of the most trivial nature; and in regard to the communications alluded to in it as having been made by two of Tippoo's agents, Mahomed Ghyass, and Mahomed Ghose Khan, "it was not possible to consider that they could be charged with any communications hostile to the British government, being men of low rank and character." I am perfectly aware that these men were very different in their qualities and dignity from Gholaum Ali Khan and Rheza Ali Khan; but I contend that they had enough of both for any purpose of treachery or violence against us. This is the sort of person generally employed in India upon such occasions; and as a proof that such is the custom, I will here read to the House a passage from Orme's history, very applicable to this question. Orme says: "The secrets of the princes of Hindustan are very difficult to be discovered: in affairs of consequence nothing except in the most equivocal terms is ever given by them in writing; and whenever the matter is of great importance or iniquity, it is trusted to a messenger, a man of low rank and great cunning, who bears a letter of recommendation testifying that he is to be trusted in all he says; so indefinite a commission reserves to the lord who gives it the resource of disavowing the transaction of his agent, and this he never fails to do whenever the iniquity is discovered." Deriving my knowledge of India from this pure authority, and from a local residence of eleven years, I deem it my duty to state to the House, that I regard this correspondence as the evidence of a treacherous spirit of hostility on the part of Wallah Jah and Omdut ul Omrah; and far from being surprised that the proof is not of that nature to satisfy the interested feelings of the partisans of those nabobs, or the doubting minds of some few of the gentlemen opposite, I am rather suprised that so much has been discovered in writing; for I must repeat upon my own knowledge, what I have already stated upon the authority of Orme, that in matters of great iniquity seldom is any thing committed by the natives of India to writing; they thoroughly understand the arts of verbal prevarication: in the examination of a

 witness,

witness, so little does he regard the truth, that he will vary his testimony according to his feelings and interests, and according to the impression which he thinks his first assertion may have made upon you. The exposure of his verbal contradictions he scarcely regards, and never considers his case hopeless until a document appears against him. In this case I am satisfied from the evidence in writing, connected with what I know of the conduct of Omdut ul Omrah during the war against Tippoo, that he had cherished the counsels and intentions of that prince, defamed the character of our alliance, and had violated the letter and spirit of the treaty of 1792, for purposes hostile to our interests and security. It has been contended that, although the hostile conduct of Wallah Jah and Omdut ul Omrah had forfeited their right to the Company's protection, yet Ali Hussein, the innocent heir of the latter, not having partaken in his guilt, ought not to have suffered for it. Sir, I am sure no person could feel more sincerely than lord Clive for the necessity which called upon him to act against Ali Hussein; and the whole of the proceedings upon your table shew how anxiously and humanely that noble lord endeavoured to preserve to Ali Hussein a situation of affluence and dignity. But lord Clive was not at liberty to intrust the rights and security of the Company in the Carnatic to those very ministers who had been the counsellors of Omdut ul Omrah, and were the guardians of Ali Hussein; and therefore he exercised that which is the right and duty of nations, to call upon the son to repair the mischief of the father.—Having thus shortly stated to the house my opinions upon the evidence, founded upon a tolerable knowledge of Persian correspondence, I have no hesitation in giving it as the unbiassed feeling of my mind, that lord Wellesley and lord Clive would have deserved the reproaches of this country, if, knowing as they did how grossly the treaty had been violated in granting tuncaws, and in maintaining a secret hostile correspondence, they had been restrained by any fear of the personal enmity which it might excite from insisting upon an arrangement like that concluded with Azeem ul Dowlah. For nearly fifty years the Company had been wasting their other revenues, and accumulating an immense debt in support of the expences of their connection with Mahomed Ali; from the year 1760 until 1786, the company were satisfied to protect the whole of the Carnatic for a payment little exceeding four lacs, leaving his highness to riot in corruption and personal ostentation upon a revenue of 26 lacs annually; and when at length this connection is broken, after the waste of the Bengal revenues, after the waste of torrents of British blood, there is a debt of ten millions upon the country, composed in some instances of bribes, paid in the shape of bonds, for obstructing the Company's government, and equal in its amount to all the nabob ever paid to the Company for their protection.

Having already described, from the works of Burke, the nature of the nabob's government down to the year 1782, and subsequently from the opinions of lord Macartney, sir A. Campbell, lord Cornwallis, and lord Hobart, I may assert, without any appearance of arrogance, upon my own personal

personal observation, that all I ever saw of his highness's government, either at Madras, where I resided six years, or in the interior of the provincess where I continued five years, has fully confirmed to me the literal truth of every thing stated by those illustrious persons. With such impressions of the calamity resulting from this management, I could not but rejoice in the measure which extinguished the source of so many evils; and as there seems to be a doubt entertained of the benefits which have been derived to the people from the exchange of government, I shall explain to the House, in a few words, in what great particulars this difference between the government of the company, and that of the nabob of the Carnatic, consits. And first I would say a few words upon the pecuniary consequences of this arrangement, which have been so much misstated by the honourable member (Mr. G. Johnstone) who spoke from the floor. That honourable member has declared that the company have received, since their possession of the Carnatic, less, as a net revenue, than they before derived as subsidy from the nabob. In the opening of his speech that honourable member avowed that he took shame to himself for not having studied the voluminous papers before the house, so as to speak in the manner he desired upon this great question; and certainly, Sir, the part of his speech in regard to the revenues of the Carnatic, is a very perfect illustration of the justness of this his confession. Had that honourable member read the statements which (at my instance) have been laid upon the table of this house, he would have seen that the net average revenues derived from the Carnatic since the treaty made with Azeem ul Dowlah by Lord Clive, have been nearly eighteen lacs of star pagodas yearly, which is exactly double the amount received in subsidy annually from Wallah Jah or Omdut ul Omrah. Such are the happy consequences of this arrangement upon the company's finances. The house will, I trust, pardon me if I detain them for a short time longer in explaining the effects of the change of government upon the people of the Carnatic. Here Mr. Lushington expatiated on the bad system of the nabob's government and the beneficial influence of the company's institutions, andconcluded—Upon the whole then, Sir, I rejoice in the treaty made with Azeem ul Dowlah; I see that it is justified by the law of nations, that it is in the highest degree beneficial to the company, and above all, that it dispenses happiness to millions; I shall therefore cordially vote against the honourable baronet's motions, and in favour of the previous question and amendment, as proposed by the right honourable gentleman who spoke second in the former debate.

The House then became clamorous for the question, when a division took place:

For the previous question -	128
For the Resolution - - - -	17
Majority - - - - -	—111

Before the gallery was opened, the house again divided on the 4th Resolution,

For the previous question -	124
For the Resolution - - - - -	15
Majority - - -	— 109

Sir THOMAS TURTON, on his return

turn into the house after this division, observed, that the numbers on his side were so few, that he should not now proceed to move his other two Resolutions, but would consent to postpone them, if the right hon. gentleman (Mr. Wallace) would consent to postpone his Resolution of approbation.

Mr. WALLACE said, that after the complete defeat which the cause of the hon. baronet had sustained, he might well forbear moving any Resolution of Approbation; for what approbation could be stronger than that testified by the majorities with which the hon. baronet's Resolutions had been rejected? He saw no reason, however, for entering into any discussion on a future day; but would now read the Resolution with which he intended to close the business. It was as follows: "That it is the opinion of this House, that the Marquis Wellesley and Lord Clive, in their conduct relative to the Carnatic, were influenced solely by an anxious zeal and solicitude to promote the permanent security, welfare, and prosperity of the British possessions in India."

Sir T. Turton determined not to proceed any further, but moved that the other orders of the day be now read, intimating, that on Friday, June the 17th, he should move his other two Resolutions. The Chancellor of the Exchequer and Sir John Anstruther were pefectly indifferent when the hon. baronet should move them. What had passed, in the debate of this night, and in the former debate, had completely shewn how unanswerable were the arguments which had been urged on their side; and they were confident that when the public saw the state of the divisions, after so many boasts, and so many procrastinations, they would not fail to form a just opinion of the nature of the whole proceeding.

Friday, June 17,

CONDUCT OF MARQUIS WELLESLEY.

Sir THOMAS TURTON, in rising pursuant to his notice, felt it necessary to premise that, whatever might be his individual impression, it was not his intention, in consequence of his deference to the decision of the House, to submit any Resolution directly tending to criminate the character of the noble person, whose measures gave rise to the Resolutions he had to propose. But he considered it necessary, in vindication of the justice of this country, that that house should come to some Resolution respecting the nature and circumstances of the transactions in the Carnatic, and also declaratory of its intention to discountenance such proceedings hereafter. The hon baronet, therefore, reserving himself for that opportunity which would be afforded him by the indulgence of the house in reply, should then content himself with moving his two remaining Resolutions, as follow: "That it appears to this House, that the person of the prince Ali Hussein, the rightful nabob of Arcot, was committed to the custody of the said Azeem ul Dowlah, who had, through the undue exercise of the power of the Company, usurped his dominions; and that the said prince, Ali Hussesn, notwithstanding the frequent remonstrances and representations made to the British government, by himself and others, of the humiliating and degrading state to which he and his family were reduced by such confinement; notwithstanding his representations of the imminent danger to his life, which he anticipated from being placed in

in the power of his enemy and the usurper of his throne; was suffered to continue in such custody, until the 6th of April, 1802, when he died.

"That policy, as well as justice, loudly demands the vindication of the character of Great Britain in India, from the reproach of the above transactions; and that the interests, if not the preservation, of our empire there, call for some public act, which will convince the native princes, that a religious adherence to its engagements, will, in future, characterise the British government. Consistently with these sentiments, and at a time when our implacable enemy attempts to justify his atrocities and despotism in Europe by the example of our conduct in India, it is peculiarly incumbent on the House, in the name of the people of England, to declare openly to the world, that the British paliament never did or will countenance any act of oppression and injustice in its Indian government. And, as evidence of its sincerity, this House resolves forthwith to appoint a committee, to inquire into the before-mentioned act of the assumption of the Carnatic, the alleged motives thereof, and the particulars of the treatment of the family of our late ally, the nabob Mahomed Ali, and of the prince Ali Hussein, the lawful successor to the musnud of the Carnatic; and that it be an instruction to the said committee to inquire into, and to report, whether any, and what reparation can, or ought to be made to the said family, for the injuries they have sustained by the usurpation of the said Azeem ul Dowlah; and that they may further report their opinion by what means the British character can be most effectually rescued from the obloquy and odium incurred from the above conduct of its servants, and how the British interests in India may be best secured from injury thereby."

The first Resslution being read, the gallery was cleared, and a division took place:

Ayes - - - - - - -	11
Noes - - - - - - -	34
Majority - -	—23

On re-entering the gallery, we found

Sir Samuel Romilly on his legs, stating, that although convinced of the culpability of Marquis Wellesley, he did not impute to him corrupt motives or personal feelings. He had acted in a manner which he conceived to be for the advantage of the East India Company and the country: much was he mistaken in so conceiving! But the question was not upon the motives by which the noble marquis was actuated, but whether what he did was not prompted by a false ambition for the aggrandizement of his country, and whether that ambition was not gratified by the violation of every principle of justice. What effect would such conduct have on the British character? It was said the good of the country was promoted. It was for the House to decide on this; the materials were before them; every paper was produced; they were masters of the subject; and it was for them to determine whether they should, or should not, make these actions their own, and sanction a policy, as it appeared to him, so remote from wisdom or justice. This was a serious and important question; and, for the honour of the British character he was grieved to witness such a division as had just taken place. Of late years, many wicked

ed and designing men had, by their writings and actions, endeavoured to bring the parliament of the country into contempt; they had maliciously attempted to bring disgrace on the legislature of the empire; but he would seriously ask, whether all such persons could do, or any species of malice or abuse, had one-thousandth part of the effect of such a circumstance as this going out on a question which involved the national character, in the nearest degree, for policy, justice, and humanity, with only four or five members more than were absolutely requisite to decide on the most unimportant business. This was not a sound for the moment; it was not a transaction to be speedily forgotten. The papers now before them would be read and considered by future ages. It was not the character of the governor-general of India alone, it was the character of the British nation which would be recorded and commented on by the historian. From his pen it would appear to future times, that, after a lapse of years, the affairs of the Carnatic were brought before the British parliament; that every paper and species of information was in their view; that the subject had been frequently and amply discussed; and that even such was the notoriety of the circumstances, that not a single member could be excused for not being perfectly conversant with them. It would then be seen, that they had not the manliness to adopt and applaud those measures, but that they endeavoured to get rid of a decision upon them by miserable previous questions, and other unworthy expedients. It would be seen, that the very confidential ministers of the crown had never delivered their opinions on these vast objects of policy and justice; and those who read the story would wonder what subject could possibly be of sufficient importance for them to speak upon. They would be in amaze, and utterly at a loss to divine how they came repeatedly to vote, with willing majorities, on so grand a question, without ever having the condescension to express their sentiments, or offer their reasons for so determining. When he entered the house, he had no design of being the first to bring on this discussion, and was astonished to see that such a task fell on him by the mode in which the question (on Sir T. Turton's last Resolution) was on the point of being disposed of. Thus situated, he might, perhaps, be guilty of some repetitions. He would not, however, repeat the subsisting treaties between the nabob of the Carnatic and the East India company, or debate the question whether he was a sovereign prince, or a vassal of the company. In one respect, at least, he was independent: he was put in the situation of a sovereign prince by the treaty negotiated with him by the company. Even after the pretended records of his treachery were discovered, he was not used as a rebel who had thrown off his allegiance, but, as an independent prince, required to enter into a new treaty. The learned gentleman then went into a detail of the papers found at Seringapatam, and read extracts from the letter from Marquis Wellesley to Lord Clive, on the occasion of appointing an inquiry thereupon, to shew that a resolution was formed, whatever might be the result of that inquiry, to seize the civil and military government of the Carnatic. These letters were not considered as sufficient

cient evidence against the nabob, or it would have been unnecessary to examine witnesses on the occasion; neither did the evidence of Ali Rheza prove that the nabob was hostile to the British; on the contrary, it shewed that the most decided enmity subsisted between him and Tippoo. It was, therefore, monstrous to say that there was any thing in these proofs, as they were called, to affect the nabob.---He then commented at length on the instructions given to the commissioners appointed to examine the witnesses, and asserted, from the parts he read, that they were intended to intimidate them to give such evidence as would be agreeable to the Company, upon whom they were intirely dependent, Such witnesses would not have been received in this country, and he was glad to see his learned friend (the solicitor-general) taking notes of what he said, as, being accustomed to the justice of Britain, he would doubtless be prepared to shew that equal justice had been distributed in India. This examination must have been either judicial, in which case the accused person ought to have been heard in his defence, or it must have been for the purpose of publishing to the world a justification of the future measures adopted in consequence of it. If the latter, it was more than ever incumbent on the commissioners to be careful that no grounds of doubt should be left. But what was the case? The examinations, though taken in the Persic language, were put down in English, and the reason assigned for this was, that from the first question put to Ali Rheza, the examination, it was found, would not take the turn expected.

Thus, when every thing turned on the construction of an ambiguous sentence, and whether certain words were meant as compliments, or had some concealed meaning, instead of writing down these words, the commissioners exercised their discretion, and translated them into another language. Both the witnesses examined fully exculpated the nabob. The evidence of Ali Rheza went to prove nothing, and that of Gholaum Ali Khan was reported by the commissioners to be full of contradictions. But what was the construction put on these examinations by Lord Wellesley? He would not give up his favourite hypothesis against the nabob of the Carnatic, but he said, "because these witnesses will give no material evidence, they must have a knowledge of some atrocious fact, which not even our assurances of personal forgiveness, and even reward, will induce them to disclose." He would venture to say, that such a construction as this was unrivalled in the annals of injustice. The collection of the judicial atrocities of the darkest times, compiled by Voltaire, did not contain such a fact. Although it was known to the witnesses that the more atrocious their discoveries were, the more agreeable it would be to those on whom they depended, yet, with all the promises and threats held out in the instructions before their eyes, they did not confirm a single suspicion entertained of the connection between Omdut ul Omrah and Tippoo Sultaun. There were other witnesses examined, but because their testimony did not establish any fact consonant to the wishes of the governor-general, no notice was taken of the facts they communicated. The learned gentleman

man now turned his attention to the cypher, and commented on the very great improbability of any such mode of correspondence being adopted in a communication on indifferent subjects, if even it had been intended as the vehicle for secret matters. It was monstrous and ridiculous to say, that there was any thing mysterious in this, where all the mystery consisted in calling Tippoo "the pillar of the faithful," the English, "the new-comers," and Wallah Jah, "the well-wisher of mankind." By the same rule Gibbon's History might be called a cypher, when the attributes of persons were assigned to them as names, as Virgil's being called "the poet," and Claudius "the emperor." If such serious and melancholy consequences had not followed from such proceedings, they would have been more worthy of ridicule than serious discussion, and might, instead of having resembled a tragedy of Racine, have had the appearance of a foolish tale. When the inquiry was first instituted, the object was said to be, to guard against the power and treachery of Omdut ul Omrah; but from his death happening in the interim, the same design was executed against a child who could have no power, nor be supposed disaffected towards the British. Before these measures could be justified, it ought to be proved, that the son was a party with the father (if he was guilty), instead of having recourse to that monstrous proposition which was laid down to the unfortunate Ali Hussein, namely, that Omdut ul Omrah having acted in such a manner as to become a public enemy, he, his child, by inheritance, entered into the condition of his father. But this curious and unfounded principle of the national law did not enter into the conception of the parties, till occasion called on them for some such apology. If Ali Hussein would have consented to become the "proper instrument" of the governor-general, it would never have been heard of, nor would those delicate hints of his not being the son of Omdut ul Omrah have been circulated.

Azeem ul Dowlah, now said to be the legal heir, would have been left to the poverty and obscurity from which he was elevated to the musnud. Twenty-four hours were given for the unfortunate prince to determine on the acceptance of the terms offered him by the Company. This was called a treaty, but it was not so; it might be a cession, or a surrender, but could not be called a treaty, where one of the contracting parties gave up independence, and indeed every thing he possessed. The prince, young as he was, determined not to disgrace the memory of his father; he rejected the proposal: and if there was a heart in the house, not entirely devoid of humanity, they must feel in the most acute manner, when he read the narrative giving an account of his noble behaviour. Here the learned gentleman read the description of the conduct of prince Ali Hussein, as transmitted by Lord Clive. It had been often observed, that there was a short interval between the deposition from the throne, and the grave; it was verified in this case. He did not mean to say that violence was used, only that so it happened. The defenders of the measure said it was good for humanity, and for the inhabitants of the Carnatic, to have an European substituted for a native government. If this were true,

true, it ought to have been done openly, and by force, and not by having recourse to base arts, false pretences, and a mockery of justice. He hoped some of the ministers would now break silence, and give a satisfactory statement of an affair which seemed so horrible to those who agreed with him. He could wish the statesmen among them to defend its policy, and his learned friend (the solicitor-general) to shew that it was not a perversion of justice. How could they reconcile it to their consciences, to give silent votes on what so deeply concerned the character of that empire of which they were chosen the directors? For this was not a vote upon the conduct of Marquis Wellesley, but upon the honour of the British nation. It was to declare, whether the acts of government in India were consistent with British justice, and to give an example to all future governors in India. It was either to tell them that we were determined to be just, or that the house would sanction and approve of seizing the dominions of our allies, and of violating every principle of justice and humanity.

Lord Castlereagh observed, that from the manner in which this question was discussed, it might be supposed that it was only in its commencement; but he would ask gentlemen whether they could so soon forget that the House had already come to a grave decision upon it? The House had resolved, by a great majority, that there was no ground whatever for the most material part of the charges relative to the Carnatic Question, and negatived the motions containing such charges. The House was then in the singular situation of being called on to give redress in a transaction, of which it had already, by its vote, expressed its approbation. No question had ever met with a more marked decision on the part of parliament than the present, if he was to take the sense of parliament from numbers. The learned gentleman who spoke last, observed, that ministers had taken no part in this discussion. That was not precisely the fact; but if they took so small a part it did not arise from any want of conviction as to the opinion they entertained on the subject. For his own part, he entertained great doubts whether the speech of the learned gentleman would produce any good. Did he think any public utility could arise from the House of Commons reversing the decision it had come to? and if he did, ought he not to blush at the idea of his friends not having brought the question forward before this time? Did he think that the House could so far forget its character as to reverse a decision it had so lately made? If this was the opinion of the honourable baronet, he ought to more than blush that no effort had been made, before this time, to call the attention of parliament to a transaction which had occurred so many years ago. If his object was to blacken the character of the British Parliament throughout Europe, and to shake the faith of the country by this posthumous effort of his faculties, never were faculties less usefully directed. He could not see any reason of practical utility that could have induced him to pursue this course, unless it was to establish a maxim, which had already been held forth in that house, that every man who went out to India discarded all ideas of public virtue from his mind. He could not suppose

suppose a greater injustice, than to hold forth a notion that individuals of high situations would so far forget every thing due to themselves and their country, as to abandon the principles by which they had acted all their lives before. The House was now examining a transaction which took place in 1801. Five years ago a charge was made against the individuals concerned in that transaction. Their character was not to be trifled with; their innocence was to be presumed until the contrary was proved. Would the right honourable gentleman opposite (Mr. Sheridan) have suffered this subject to be at rest for four years, if he thought he could have made out a case? That right honourable gentleman had said on a former day that he did not wish to interrupt the harmony which prevailed in the government which he supported. Did he mean, then, to impute to that government such gross negligence, and such an abandonment of all the principles of justice, as to suppose they would have passed over without notice, this transaction were it so nefarious a one as it was described to be? Would the right honourable gentleman have sacrificed such a question as this to the convenience of a party? Was it likely that he, who had taken so distinguished a part in almost all other questions where there were imputations of gross injustice against individuals, would have committed such an abandonment of his public duty, as not to come forward and vindicate the national character? He was not disposed to rest this question on any thing like personal authority, but he was justified in supposing, that, had it been such as was lately described, it would have been brought forward by others long before this time. He had, however, much better evidence: namely, that which was contained in the papers themselves. To go into a detail of these papers would extend the discussion far beyond the limits of a single debate. He would merely state his view of the outline of the business, without pressing on the patience of the House. The question could only be argued on the ground of a treaty. He did not mean to contend that the sovereigns in India were not possessed of rights which the British government could not shake without committing acts of injustice. But the question now to be considered was a mere question of treaty; and he was prepared to argue, that in the treaty made with the Arcot government, there were stipulations which prohibited the nabob of Arcot from holding any correspondence whatever with any native power, unless the consent of the British government was previously obtained. He suspected that the learned gentleman was not able to make a connected defence for the princes of the Carnatic, in consequence of his having taken up the question in this manner, and of his having at the end of his speech, entered into a dramatic declamation on the interval between the imprisonment and the death of princes. This allusion could not have applied to the question; and therefore, in making it, the learned gentleman could only have been wasting his strength. He contended, that it was not the duty of Marquis Wellesley to rest the safety of the British dominions in India on any rule of proceeding

ing which might be laid down in parliament, but on the general pirinciples of policy and jurisprudence. The learned baronet had argued, that the grounds on which the removal of the family of Arcot had taken place, were contrary to the rules of evidence; but he did not consider, that it was not a question between one subject and another, or between a sovereign and a subject, but that we were trying a question with a sovereign prince, with a co-estate. Lord Wellesley, therefore, could only act on the principles of the laws of nations; on those principles, according to which a declaration of war would be justified. When the public safety required any particular mode of proceeding, it was not not necessary to have such evidence as would be required in a court of justice. When during a period of profound peace, Sebastiani had been sent by Buonaparte to Egypt, to shake the foundation of all our political and commercial relations in that part of the world, did the house of commons, at the time the question of war came to be discussed, require any more evidence of that fact than public rumour? They merely went on the question of fair presumption, in judging as to what were the views of the enemy. When a treasonable correspondence was carried on between certain persons in Ireland, and other persons at Paris, it did not require the strict rules of evidence to detect it. Now, what were the circumstances that came out in evidence at Madras? Would the learned gentleman say, that no documents but those on the table had been found at Seringapatam? The princes of the Carnatic did acknowledge that they carried on a correspondence with the government of Mysore, and he wished gentlemen to see what was the nature of this correspondence, and how far it was a breach of the treaty that existed between the British government and the nabob. The first period at which the correspondence took place, was in the year 1793. Whatever the nature of the correspondence might be, it must, however, be allowed, that the same having been carried on at the time of the treaty made by Lord Cornwallis, it was amply sufficient to justify the jealousy of our government; and Marquis Wellesley would have acted a strange confiding part, highly detrimental to our interests, if, after the discovery of such correspondence, he had left the government of the Carnatic where he found it.

Here the noble lord referred to the several letters written by the nabob to the prince of Mysore; and said he should prove that the nabob of the Carnatic knew these letters were in direct violation of the treaty. They were not letters of mere compliment, but they were communications of political importance, which he knew he could not openly convey without breaking the treaty. But they were made privately; and if the nabob only wanted to convey expressions of mere civility, as were stated, that might be easily done upon giving a proper intimation to the government. It was said, that the correspondence was for the purpose of bringing about a marriage between the two families. If that was the case, what occasion was there for making use of a private cypher, which had no reference whatever to marriage? It was a cypher by which hatred had generally

generally been expressed by the native powers to the British government, and that was a curious sign to make use of in negotiating a treaty of marriage. Although, when he first read these papers, it was impossible for him to think that they were an innocent correspondence, yet, from his intimate habits of intercourse with Lord Cornwallis, he inquired particularly of that noble person what was his private opinion as to this supposed treaty of marriage, and what his knowledge was of that transaction. He expressly stated he had never heard of any such treaty of marriage, although he was said to have been privy to the treaty. It had been asked what good or what object could Mahomed Ali have attained, by conspiring with the Mysore government against the interests of Great Britain; particularly so, when he was a man of good understanding, and must have known how fruitless his attempts might be? It was no difficult thing to suppose, that the family of Arcot could have taken such a view of their right to empire in that country, as might make them indulge a feeling that the effective dominion of that country ought to belong to them, and not to the India Company. They might, partly from a feeling of ambition or mortified pride, and religious prejudices, imagine that they might have a more extended sovereignty over the country, and shake the power of the British government. These views might induce them to correspond with the Mysore government. Mahomed Ali, in a letter to Hyder, spoke of arms; here there was nothing about a marriage, the letter talked of their long enjoying the prospect of the sea from an eminence. What could that mean but a secret wish that the English gentlemen (to use their own expression) should be expelled from the country, so that they might have an uninterrupted possession of the whole? But this was not the only political correspondence that took place between the Arcot family, and the family that was hostile to the English interests in India. A rooted jealousy and hostility of the British power could plainly be collected from the whole correspondence. It was a wise jealousy of Lord Wellesley to take alarm at this correspondence. He was persuaded there was most evident proof of hostility; yet it did not rest on Lord Wellesley's judgment alone, but was the favourite opinion of every governor in that country, that the family of Arcot, as well as the Mysore, were plotting the overthrow of the British power.

The very arrangement now so much reprobated as injurious to the British character, was the same which lord Cornwallis had recommended before that time as necessary to be acted upon, and as beneficial to both the parties. If it should be contended, that the punishment went beyond the measure of fair security, there might be an argument as to the question of the punishment.

The next question was, whether it could be considered as harsh to extend the severity exercised towards the father to the son of the nabob? The learned gentleman who argued so much on criminal law, knew very well, that, in cases of treason, under which principle this question must be decided, the innocent must be involved in the consequences of the guilt of others. When the house of Stuart was driven from the throne of this country,

country, the whole of the descendants were excluded also. It cannot be supposed that such descendants would hold different sentiments from their ancestors. Was it to be supposed, that the son of Mahomed Ali would not entertain the same hostility against us which his father had done? and could Lord Wellesley suffer him, consistently with the British interests in India, to remain on the throne from which his father had been removed? He might have had a disposition favourable to the British, but he was surrounded by a tribe of harpies, who had claims and expectations upon him; who altered his disposition, and persuaded him to think that justice would be done him in England. How was it possible, under such circumstances, to expect friendly sentiments from a person so beset, and with interested dependents, so perverted in his station? He was sure, that if the right hon. gentleman had a just view of this question, nothing would have induced him to let it sleep for the space of four years. After the practical decision of parliament was twice had on this subject, he greatly lamented it was again brought forward. It had the effect of lowering the character of the country and of the parliament in the eyes of foreign countries; because foreigners were repeatedly told the British government were giving sanction to those principles that characterised the conduct of the ruler of France. It would be a fatal moral to hold out to the world, and was, besides, a gross injustice, to attempt to run down the character of such men as Lord Wellesley, after they had performed a most difficult public duty in high situations, without giving them an opportunity of vindicating themselves; and thus to represent the British governors as having committed, and the government as giving sanction to, enormities similar to those practised by our enemies. For a considerable time, the attention of parliament had been occupied in hearing charges of this kind, accompanied with strong allegations, which it was difficult to refute. Fortunately, however, Lord Wellesley had now completely vindicated his character; and he was now so completely in possession of the public opinion, that every possible degree of confidence might be reposed in him, and his character stood higher than ever it had done before.

Mr. SHERIDAN felt, that after the personal allusions so frequently made to him, he should not act respectfully towards the noble lord if he continued silent on the present occasion. The noble lord concluded a speech, filled with the strangest and most monstrous doctrines he had ever heard, with a solemn appeal to the justice of the House, calling upon it not to establish so bad a moral as that of exposing the delinquency of public servants, for fear their conduct should be compared with the enormities of our enemies! It was with reluctance he entered on any of the enormities committed in India. In making such a declaration, the noble lord was not aware of the libel which he pronounced on an honourable friend of his, who was lately chief justice in India! Here Mr. Sheridan quoted a speech delivered at the time of Mr. Hastings's impeachment, by Mr. (now Sir John) Anstruther, in which that gentleman dwelt on the enormities practised in India, and insisted on the

the necessity of investigation and punishment. But now the House was to understand, from the speech of the noble lord, that no governor in India, let his crimes be ever so great, was to have his conduct at all inquired into. He maintained, that the best way to hold out to the world that we sanctioned no enormities, was to punish those who committed any.

The noble marquis, whose conduct was now the object of discussion, had lately made an observation, that the attack made upon Copenhagen, and the seizure of the Danish fleet, was an event at which Englishmen ought to rejoice, because it would grieve Buonaparté. It was unwise in the noble marquis to make such a declaration, because he believed it to be entirely the reverse of what was the fact. He sincerely believed, that Buonaparté never felt more joy at any event than what this act of ours gave him. In that act he saw our character blended with his own. He found in it an indemnity for the past, and security for the future. The noble lord's code of political morality was the worst he had ever heard broached in that house. His desultory term, 'Will o' the Wisp speech,' had not put down a single argument advanced by his learned friend, to whom he felt grateful for the sentiments he had delivered. He did not feel a wish to say any thing uncivil towards the noble lord, particularly so, after the very handsome manner in which the noble lord spoke of him the evening before last. But he should have supposed, had he not known his assiduity, the noble lord had never read the papers relative to this subject. He had said that Ali Hussein had forfeited his right to the throne, inasmuch as he inherited the treason of his father. He could never have been a party to a treason which had not been communicated to him, and with which the father had not been charged in his lifetime. He never knew a more monstrous attempt than this to impose on the credulity of the public. There was no analogy in this case to that of the house of the Stuarts, in which a country chose its own magistrates, which every people had a right to do; but here was an independent prince, who was an ally; and what right had any man to say, that we should dismiss from the throne of his ancestors the lawful heir to that throne, against whom no charge whatever could be made? But what became of all this argument, when the fact was, that Azeem ul Dowlah was put on the musnud over the son of a person who was actually proved to be an enemy to the British interests? The noble lord shewed the grossest ignorance of the papers; for the very correspondence he referred to was carried on with the consent of the government of Madras. As to the cypher, he appealed to the honourable baronet who had been chief justice in India, and would ask, if he would suffer a man to be convicted on such evidences [Sir John Anstruther signified that he would not], he was happy to hear his honourable friend say he would not. Yet it was on such evidence that an innocent young prince was deprived of his throne, and placed in a situation in which he lost his life. Mr. Sheridan then read some correspondence, in order to shew that the British government in India considered it as likely to be favourable

favourable to their interests, to have an intimate correspondence and connection carried on between the house of Arcot and Mysore. It was attempted to justify this transaction, on the ground of state necessity. But this act of injustice and robbery could not be an act resulting from state necessity, because there existed no necessity for it, or at least none had been shewn, to influence their decision. The right honourable gentleman next read some papers, to shew the steady attachment of the nabob to the English; and he defied any governor to say, that there existed the slightest proof of the hostility of the father or the son, except what was extracted from the trash found at Seringapatam. The arguments that had been used to prove that the nabob was considered as a vassal to the India Company, were as unjust as they were unfounded. The important documents on the table put that question out of all doubt, for it would appear, by an address actually signed by his majesty, counter-signed by lord Cornwallis, and addressed to the nabob, dated the 13th of May, 1790, that he was considered not only as an independent sovereign, but actually called the "faithful ally and friend" of the British government in India. Here the right honourable gentleman read a long extract from the address alluded to, from which it likewise appeared that the very first acre of ground the English became possessed of round Madras, was acquired through the friendship of the nabob of Arcot; yet, he argued, after such an unqualified declaration under his majesty's own hand, of the independency of this prince, such degrading language was to be held out! Was it to be endured for one single moment, that the rights and laws of nations were to be thus trampled upon with impunity, merely upon the alleged policy of the measure? From a very patient perusal of the very important documents on the table, they established this proposition in his mind, that there was no ground whatever for any suspicion of the faithfulness of the nabob of Arcot and his son towards the British government. There was one part of this question which he could not but consider as a great dereliction of principle in the noble marquis. It was said that he took every possible care for the protection of Ali Hussein, the deposed nabob. Could it be thought for a moment, that the deposed nabob would be safe in the hands of a man who threatened him with instant death if he ever attempted to regain the throne of his father? From these circumstances he concluded, that the young nabob was not safe in those hands.

He did not feel disposed even to enter into all the motives that might have actuated the noble marquis in his conduct, and he was less disposed to argue the accusation urged against him of his being actuated by pecuniary interests in his administration; but looking at his general conduct as a governor of India, he must say there was no parallel in the history of that country which presented so unbridled an instance of insatiable ambition. The sum total of what the country knew of his conduct as governor was, that he succeeded to the government after Lord Cornwallis. He found India in a great and increasing state of prosperity. He found a system of equity and economy in the public expenditure,

admirably calculated for the solidity of our establishment in that country. But when he left it, he left behind him an example of the most pernicious prodigality and profuseness. When he landed, he found a disposition in the company's servants to revere the laws, and to abide by the decrees of his Majesty; but when he left it, the utmost contempt prevailed of the laws and regulations of the company. When he went there, the native powers of India placed the utmost confidence in the faith of the British government; but he left them entertaining, in their minds, the most irreconcilable sentiments of disgust and enmity, on account of its treachery and oppression. In short, the result of the noble lord's administration was this, that when he went to India, he found Great Britain without a foe, and when he departed, he left Great Britain without a friend. Upon these grounds he felt himself called upon to say thus much, not from any personal enmity to the noble marquis, but from a principle of preserving his own consistency. He took this opportunity of defending himself from the insinuation thrown out by the noble lord in the commencement of his speech, that he had departed from principle in seeming to neglect the cause he had so strenuously undertaken to advocate on former occasions, by stating that his sentiments upon this subject had never been in the least altered from the first intimation he received of the oppression and tyrannous dethronement of the young nabob and the subsequent information that arrived in this country of his murder. On that occasion his mind was so horrified by the atrocity of the act, that he resolved immediately to institute an inquiry into the causes of so gross a violation of the laws of civilization and humanity. Circumstances, however, had prevented him from carrying the desired object completely into effect personally. He saw no prospect then of pursuing the investigation in that administration, and from these considerations he did not persist. He had however moved, from time to time, for a great number of documents, which must remove at once every suspicion of his having cooled in the cause. He concluded by declaring his fixed determination at all times never to shrink from the task he had imposed upon himself, of representing the noble marquis's conduct in the plain and unvarnished manner in which he fully persuaded himself the various documents on the table exhibited the circumstances of his administration to the country.

Mr. Fuller contended, that this was a most extraordinary discussion, and made on the opposite side a question of party rather than of principle.

Dr. Laurence supported the Resolution. The proposition of the noble lord, that this was held to be a grave question by the house, might well be doubted, if they were to judge from the manner in which they had decided upon the evidence adduced in support of the charges against the noble marquis. Upon what principle it was that the house intended to act in its decision upon this subject, he was at some loss to conjecture. Although it might be argued in favour of the noble marquis, that he was not actuated by motives of pecuniary aggrandisement, yet there were a thousand other bad passions which might actuate a minister, equally as mischievous and destructive to the interests of a nation, as those connected with the most sordid motives.

motives. Inordinate ambition must on all hands be admitted, in a moral point of view, to be the most pernicious of all the passions that actuated the human mind. That such was the motive of the noble marquis in his administration, must depend upon what degree of credit the house would attach to the evidence of the papers on the table. In his opinion, formed upon the consideration he had given to those documents, the accusations were unanswerable. Here the learned gentleman combated the arguments used to justify the policy adopted by this country towards the native powers of India. Nothing was more unjust and unprincipled, nothing was more opposite, not only to the laws of nations, but those of nature, than the system of oppression practised upon the unfortunate nabob of Arcot; whose rights and privileges were violated upon the most unwarranted and unjust pretence of having broken a treaty, when, in fact the most barefaced act of tyrannical policy obtruded itself throughout the whole transaction. He related the history of the first transactions of the British government with the nabob of Arcot, until the period of his contracting his debt with them, and detailed the various pretences urged by them for increasing that debt, which he considered as the over-reaching principle which universally characterised the conduct of the India Company's servants, and brought the narrative down to the period of their interposition in the affairs of the Carnatic, under the pretence of the discovery of the secret correspondence with the neighbouring potentates, for the purpose of forming a confederacy against the British interest. In considering the evidence in support of the allegation, that a violation of treaty was the ground of their interference, he contended that there was a previous determination of the government of India to adopt that measure long before any knowledge of such pretended correspondence was received. He knew of no law of nations that could warrant so unjust an interference, on our part, upon presumed evidence of danger. He did not deny the principle of self-preservation, as the first law of nature; but the fact of real danger must be clearly justified and substantiated, before we could presume to violate every law both human and divine. With respect to the stress laid so strongly upon the mysterious information contained in the cypher, he argued, that there was nothing in it, if the context was considered, that could justify such a construction as that put upon it by the advocates of the noble lord. This cypher was to be used as a breach of treaty, and consequently was not a sufficient justification for the acts of tyranny practised upon the nabob. The treaty stipulated that the nabob was not to go to war without the consent of the British government. Now, supposing even that this correspondence did contain sentiments of a political nature, was it just or reasonable to infer that any breach of treaty with the British government was meant? He was persuaded, that out of twenty letters which had passed from the nabob to the other powers, his allies, not a single phrase had been used which could attach to the nabob any violation of treaty. Taking the whole of the evidence, and the arguments upon this question urged by the gentlemen on the same side of the house, he was decidedly of opinion that this act was not founded in justice or sound policy,

policy, which were inseparable from humanity and benevolence.

Mr. WINDHAM said, he was not disposed to enter into a discussion upon the merits of this question. He was restrained in doing so, not merely from the lateness of the hour, but really from a sort of despondence he entertained that any arguments which could be offered could have any weight with a majority of the house, who seemed, in opposition to reason and evidence, disposed to pass a vote rather of approbation than censure. He could not suffer the subject to pass by without making a few observations upon some of the arguments urged by the noble lord. The principle contended for by the noble lord in support of the policy of the East India Company in India, reminded him of the last line of a song, written by Dr. Swift for a highwayman, "Every man round may rob if he pleases." In the annals of injustice, and in the annals of romance, what could be more preposterous than this principle? In alluding to the manner in which the evidence upon this subject was forced from Ali Rheza, it was impossible to come at the truth by such a mode of examination as that adopted on that occasion. The effect of torture was not to produce truth, but to produce only that which the person inflicting torture wished to be told. The construction put upon this evidence reminded him of a passage in the works of Lord Shaftesbury, in reference to torture, that he would produce out of the words, 'My son Tommy has got the piles,' a very good plot against the house of Hanover! He regretted extremely that the House had not the aid of his learned friend (the solicitor-general) on this side of the motion, who made so great a figure on the trial of Mr. Hastings; but, it would seem, the principle by which we were to be guided, was, that the natives of India had no rights, that we had no duties, and that all was to depend upon the decision of our majorities. He firmly believed, that for the enormities committed by the British power in India, in all the enormities under all the successive variations of the French revolution, and by no means recently under Buonaparte, no parallel was to be found. If, then, they could not find a parallel in Europe for the enormities committed in India, how could it be supposed that the votes of the House of Commons were to effect any reformation? He would wish he could separate the man from the conduct, but, unfortunately, both must be taken together. As to the motives of the noble marquis, what was the use of any inquiry about them? A man might have a motive to get money for his family, a laudable one to be sure: but then, if the motive were carried into effect by a violation of all justice were we to excuse him for his motives? The right honourable gentleman concluded by lamenting most sincerely what had happened; lamenting that men in the situation he saw could be found to defend it; and lamenting, more than all, that a British Parliament should sanction it. They were not to look at this affair with the eyes of others; the papers were before them, and, from the decision they gave thereon, the world would pronounce sentence upon them.

Sir THOMAS TURTON, in reply, said

said—Sir, at this late hour of the morning, (two) wearied as the House must be with a subject on which I am fearful few have bestowed any pains, and many have not even attended to, I shall detain the house as shortly as possible in reply to the observations and statements (for arguments I have heard none), on the charge I have brought against the government in India. I must previously, however, notice the complaint of an honourable gentleman (Mr. Wellesley Pole), whose fraternal feelings I can readily allow for, and to which I attribute that excess of warmth which has characterised his speech. The honourable gentleman has been pleased to observe on the manner in which I have opened the charge, as combining, with the total absence of proof, the most unwarrantable epithets of abuse—that I have stated his noble relative, and all persons in his situation going to India, as devoid of common honour and honesty; and that, in fine, I have uttered such language, under the protection of the house, that I would not have dared to use out of it. Sir, whilst I defy the honourable gentleman to produce a single instance on the records of Parliament of a charge so serious, attended with circumstances so outrageous and wanton, having been brought forward with so much moderation in language or conduct either towards the act charged or the persons accused, I can assure him, that he has wholly mistaken my character. if he supposes that I am capable of screening myself, on this or any other occasion, under the protection of this house; or that, what I have said in my place here, I have not often said; and when occasion may call for it, shall repeat any, and every where. But, at any rate, I cannot suffer myself to be misrepresented. I never said that the noble lord had neither honour nor honesty. I never attributed the absence of these qualities to any man in India. What I said was, that there appeared to be a kind of geographical morality, and that I found a difficulty in accounting for the conduct of persons in India, who appeared not to be destitute of the common feelings of justice and humanity when in this country; and I then quoted an observation of Mr. Burke, attributing this change to their being dipped in crossing the Line. So much for this charge of the honourable gentleman, whose speech I shall no further notice, than to observe, that if he, with the natural partiality attached to his view of the case, considers the defence made by the two honourable members to whom he has alluded, as unanswerable and satisfactory, it is useless to address myself to *him*. But to the House I shall venture to express my opinion, that never was so serious and direct a charge met by reasoning so inconclusive, statements so unfounded, and pretexts so unworthy as the present. In my opening, I anticipated most of them, but, must own, not all. The defence which has been made, adds another to the many instances we meet with, that the most atrocious and disgraceful acts may, for a moment, be stripped of the horror they excite, by the aid of sophistry and ingenuity. Indeed, the honourable gentlemen have had an hard and serious task, and their powers have been proportionably exerted; but, with the exception of the honourable gentleman and the

the other friends and relatives of both the noble lords, is there one man in the house who will say, that this act really merits any other epithets than those I have applied to it? Happy am I to find, that no one of his majesty's ministers, except the noble lord (Castlereagh), has chosen to stand forth in defence of it. And that noble lord will forgive me in observing, that whatever might have been his knowledge of the facts at the time, he has wholly forgotten them since. We need only refer to the documents of early date on your table, to be satisfied that his statement of the ancient hostility in the old nabob to the British government, evinced (as the noble lord says) by his letters to Hyder Ali, is an entire misrepresentation; he will there find, that at our request only, and against the advice and remonstrance of the nabob himself, he was compelled to commence a correspondence of civility with Hyder Ali. Indeed, the noble lord appears not to have had leisure to read through half the papers on your table, for, if he had, his statements would be inexcusable.

The right hon. gentleman opposite (Mr. Wallace,) who has gone into the defence of this act at great length, has commenced his speech by observing, that I have erred in my statement of historical facts, and asserts, "that our first connection in the *Carnatic* was, with Wallah Jah, whom we raised from the dust." Is the right hon. gentleman really serious? Is a member of the board of control ignorant of our earliest relations with the powers of Hindustan? What was the commercial-charter granted to us by Ferocksere? Did that form no connection between us? Had we no connection, no correspondence, with Anwar u Dien himself? Did we not owe to him and his assistance the safety of St. David's, after Madras was taken in 1745? What, then, does the right hon. gentleman mean by raising Wallah Jah from the dust? Does he mean to impress the house with the idea, that this family was created by the bounty of the Company? Does he recollect, that in 1745, Anwar u Dien was powerful enough to *command* the British fleet, under commodore Barnet, consisting of two sixty gun ships, a fifty and a frigate, not to commit hostilities against the French at Pondicherry, he (Anwar u Dien) having engaged to observe a perfect neutrality in *Arcot*; and that, notwithstanding the remonstrances of the Madras government, he persisted in his resolution, and threatened, in case of disobedience, to attack Madras? In consequence of this, we desisted from our attempt. But does the right hon. gentleman merely mean, that Wallah Jah himself, experiencing adverse fortune, was assisted by us? I have before stated, that he was under no obligation to *us*; we espoused his cause, because the French adopted that of Chunda Saheb; and if we look into the particulars of our assistance, it will appear, that his obligations are not increased by the manner or extent of it. When, after the battle of Ambore, in which Anwar u Dien fell, and his eldest son was taken prisoner, Mahomed Ali fled to Trichinopoly, and applied to us for assistance. What was the force we sent to him? six hundred and twenty European soldiers; whilst we suffered Boscawen, with his fleet full of troops, to sail to Europe, leaving the French interest in possession of the Carnatic. So, when his tributary, the king

king of Tanjore, applied to us for aid, we sent him, (I think it was) *twenty* men; however, a mere nominal assistance: and when we talk of raising Mahommed Ali from the dust, we had surely forgotten our noble exploits at the battle of Trivadi, where, by our desertion of him, he lost the battle. It was not to us, but to Nazir Jung, son of Nizam ul Mulck, that the family of Anwar u Dien owed its restoration to the musnud of Arcot. We shall be able to judge from this, of the correctness of the historical knowledge of the right hon. gentleman. But now for his reasoning, if we can dignify it by that name. He is willing to admit that the evidence on your table is not legal evidence; but he contends, nevertheless, that we ought to admit it; not for the purpose of grounding a remonstrance to the nabobs, if alive, or of requiring an explanation of any conduct which might have appeared doubtful in them, but for that of dethroning and imprisoning their innocent and lawful successor.—I should have been glad to hear the right hon. gentleman's definition of this crime of the nabob's; I think he calls it, somewhere, an *hostile conspiracy against the interests of the British government*—by whom? by sovereigns he acknowledges independent.——I would ask him, in what page of the code of the public law of nations he finds this crime in a sovereign; and a crime, too, which he acknowledges was only in embryo, and though conceived for several years, he does not pretend was ever acted upon.— I think the utmost which that right hon. gentleman attributes to these poor sovereigns, who had sinned beyond forgiveness, is, "*a correspondence exciting suspicion of sinister designs.*"—Ah! Sir, how must the right hon. gentleman have stretched his ingenuity, to have framed this bill of indictment; and what a jury must he have to find a verdict of guilty! But, let it be remembered, that the right hon. gentleman argues the whole of this case, as if the messages and letters said to be sent and written, were sent and written by the nabobs. Here is the fallacy of his argument. So far from this being proved, they dared not attempt to prove it. They had the means in their hands, either of proving or disproving them. Khader Nawaz Khan could have explained the whole business of the cypher, and of the messages *said* to be sent at different times by him to Tippoo's ambassadors; and there was no reason to fear his partiality towards the nabobs, for this was the only khan who bowed the knee to the usurper, and, of course, he was a fit object for our designs; but him they dared not examine. Is not this of itself a sufficient proof that the government did not believe one word of the alleged conspiracy? After this, who will credit any part of the story? But we will leave these disgusting pretexts to themselves and their authors; and I shall only observe, that if the sacred names of justice and humanity were ever prostituted to disgraceful and wicked purposes, it is where the right hon. gentleman uses them as applied to our conduct towards the dying nabob. "Insensible (he says) must be the heart which could not feel for the nabob, extended on the bed of sickness."—And does this expression of sympathy come from the advocate of this nefarious act? Can the right hon. gentleman forget the orders of the British government to Colonel M'Neil, at the time when they

they knew the nabob's situation, and which *his humanity* alone, on the representation of Major Grant, induced him to disobey?

But the right hon. gentleman surely is not serious; any more than when he gravely informs us, "that the *principles of humanity and regard for the prince's family regulated the proposals made to him.*" Can we hear this statement without a conviction that the right hon. gentleman is laughing at us? or can we hear the reference to Domat's Compendium of Civil and Public Law, to justify the deposition of the prince on the ground of reparation (and which I had anticipated), without feeling a regret that doctrines so monstrous, and as applied to the present case, so extravagant, should meet countenance from a quarter so respectable. It is impossible that the right hon. gentleman can seriously think them applicable. There is only one observation more that I shall make on the speech of the right hon. gentleman.—In his justification of this act, he has alleged the sanction of that respectable nobleman, Lord Cornwallis. Does the right hon. gentleman mean to insinuate, that this outrageous act received the countenance of that revered person? Does he mean to state, that the general administration of Lord Wellesley met his approbation? What a censure must he then pass on the noble lord near him, and on that administration who sent Lord Cornwallis to heal the wounds which Lord Wellesley had inflicted on suffering India. Need we the testimony of the papers on your table to know, that, from the moment of Lord Cornwallis's landing in India, his efforts were solely and exclusively directed to the subversion of that system, which aimed to establish the greatness and power of this country on the breach of public faith, and the sacredness of treaties? that amongst the last instructions given by him, were those to the residents at Poonah and Hydrabad, directing them to abstain from any further interference with the respective governments? That respected nobleman, expressing his apprehensions lest the natives should be led to believe, from the system which had lately been pursued, "that the English aimed at universal dominion in India." His exertions to undeceive them were the unceasing objects of the short remainder of his life. I trust his example will not be lost on those who succeed him.

An hon. gentleman, who spoke from the floor (Mr. Whitshed Keene,) talks of the happiness of millions being insured by this act. Whilst I do not admit our right to overturn a government, even to improve the situation of its subjects, I must ask the hon. gentleman if he is quite sure that this is the case? If I am not mistaken, as far as pecuniary impositions affect happiness, the state of the country, instead of being improved, is deteriorated. I moved for an account of the revenue collected since we had taken the civil administration into our hands. If I had obtained it, the house would have seen that this country, which has been snatched from the baneful influence of the nabob's government, and participates in all the luxurious enjoyments of British protection, is at this moment paying for the blessed exchange *three* times the sum in taxes which it paid whilst under the government of its ancient masters. I know that I have under-rated the amount of

of increased pecuniary oppression; nor will it less surprise the House to be informed, that, notwithstanding these additional burthens on the natives, the money actually coming into the treasury of the Company is less than under the treaty. What, then, becomes of the charges of misery and corruption of the nabob's government? or how will the hon. gentleman prove that the exchange has rescued millions from oppression? I much fear, the reign of the English sircars (as they have been termed) is not wholly over, but that oppression has not changed its nature, though dressed in the garb of European civilization. An hon. officer (Colonel Allan) has informed us, that the cypher was intended for political purposes; but he has contented himself with this statement, without advancing any proof, or even an argument to sustain it; but suppose it was so intended, you have proof it was never so acted on; how, then, is it a violation of the treaty? The treaty says, "The nabob shall carry on no political correspondence with any foreign power, without the knowledge of the British government," Has he? where do you find it? in what page of these paltry documents do you find a *political correspondence?* The same hon. gentleman also tells us, that he marched with the army through the Carnatic, and that the natives all exclaimed against the nabob's government, and expressed a strong desire to be placed under British protection. The appearance of a great and conquering army often effects a wonderful change in the language and conduct of the countries through which they march. The tyrant of Europe has often discovered this; and if we are to believe his Moniteurs, an universal desire to be incorporated with the French nation prevails in every country which his desolating arms have laid waste; the desire has, I dare say, been in this case equally sincere: how, otherwise, can we account for the letter of remonstrance written by Lord Hobart to the nabob, on his permitting the subjects of the British government, residing in the Jaghire round Madras, to settle in his (the nabob's) territories? The thing is wholly unnatural and improbable; but, if true, does not justify the atrocity of the act, or add one argument in its favour.

Sir, I think that I have shortly noticed all the main points of defence which the defenders of this act have brought forward. I shall only observe, that, however respectable these hon. gentlemen may be, they are, nevertheless, connected either with the act or the actors; and I am not, therefore, surprised at the line of argument they have taken; but I am not sure that the defence of the hon. gentleman (Mr. Keene) is not the more manly and honest of them all: he says, "India is not to be governed but by the sword; you can have no dependence on the faith of these sovereigns of Hindustan; violence alone will do with them." One can understand this; and if we cannot subscribe to the reason or policy of it, we do to the frankness of the avowal. Indeed, this has been the sad and abominable system you have pursued. Whilst it has made us bankrupt in character, has it even enriched our pockets? Ask the East India Company; they will tell you, that the noble marquis has increased the revenues of the Company seven millions, and the debt sixteen more; that your wars and conquests have occasioned this; but even this I deem

deem a very subordinate consideration.

The great question is, how has your policy affected the character and interests of Great Britain? True, you have greatly extended your territories, you have added twenty millions of subjects, but you have done it at the expense of every sacred principle of moral obligation or national faith. Have you not reduced your allies to be slaves, your tributaries to be mere cyphers of state, and when you had no more sovereigns within your grasp to dethrone, no more provinces to devastate, no more forts to raise, no more chiefs to hang up, or nobles to expatriate, unsatiated with the wretched havock of desolation and blood you had occasioned, in the wantonness of malice, in the plenitude of folly, you determined to attack their *religious prejudices,* their ancient and venerable customs; those prejudices, which had resisted, with effect, the enthusiasm and cruelty of the Mahomedan conquerors, who soon learnt the wisdom of institutions, which, admitting no proselytism, presented no danger; it was reserved for the mildness and liberality of Christians to attack. Those ear-rings and marks of cast, which, if we are to believe Pliny, Arrian, and Herodotus, have existed more than two thousand years, it was reserved for Britons, in the nineteenth century, to tear from the forehead and ears of the patient and meek Hindoo. What! were the conquerors of Plassey, of Chunar, the heroes of Seringapatam, and Laswarree, enervated by these baubles, or unfit for military service if their whiskers were not cut to a pattern? *Quæ te dementia cepit?* But I will dwell no longer on this hated subject; on our conduct there cannot be two opinions—you must alter your system, or India is gone.

Sir, I have done; whatever is the fate of these Resolutions, and particularly of the last, I feel I have discharged my duty; and I know, if only those give their votes who have made themselves masters of the subject, and bring an impartial judgment to its decision, I shall attain my object. I am, however, far from sanguine, when I look round the house; yet let me intreat gentlemen to reflect, that, by crushing this inquiry by the previous question, you do not wipe away the guilt from the accused; you only declare, that the parliament of Great Britian, where alone the wrongs of India can be inquired into, shuts its ears to their cries. What will be the effect of this proceeding in India, I shudder to think! Certain it is, that if the means should be afforded to the natives to resist your power, you have not one native prince who would not rise against you, and extirpate you from that land, where your progress has been only marked by tyranny and injustice. Once more do I conjure the House; again do I intreat his Majesty's ministers to pause, before they vote for the previous question: if their feelings are deadened to the calls of humanity and justice, they must be alive to those of interest; that will prompt them to do justice to India, and to join me in declaring to the world, that the British parliament will never sanction one act of injustice, committed in its name, towards any description of persons, however distant in their situation, who are entitled to its protection. This sentiment will do ministers more credit, and eventually more service, than any

support

support they may derive from espousing a cause which dares not meet investigation, but shelters itself under the protection of a *previous question*.

Sir, I thank the House for its indulgence, and I shall no longer keep it from its decision.

The gallery was now cleared and the House divided:

For the Resolution - -	19
Against it - - - - -	97
Majority - - -	—78

Mr. WALLACE then rose and said, that after what had passed on this and former discussions, it was unnecessary for him to introduce the Resolution which he was now going to move, with any preface; he should content himself simply with moving the following Resolution: Resolved, "That it is the opinion of this House, that the marquis Wellesley and the earl Powis, in their conduct relative to the Carnatic, appear to have been influenced solely by motives of anxious zeal and solicitude for the permanent security, welfare, and prosperity of the British possessions in India."

Sir JAMES HALL said, that he only differed from the right honourable gentleman who had made this motion, in thinking it did not go far enough: it was high time that parliament should do that justice to this illustrious character, which the meanest, the most degraded subject of our law, had a right to demand. After submitting the conduct of the noble marquis to the severest scrutiny, during a long course of years, and after deciding, by very great majorities, that he had done nothing wrong, the House was bound to grant him a deliverance, not only to free him from the present charge, but to protect him from all future attempts on similar grounds. It would become the justice, the honour, the gentleman-like feeling of the House, to do a great deal more; not only to clear the character of the noble marquis from blame, but also to declare their high opinion of the services he had rendered his country, in such a manner as to revive the recollection of those services, which seemed to be in a measure forgotten. If the consequence of such a declaration were to be what a right honourable gentleman (Mr. Sheridan) had deprecated, were the noble marquis raised to a high station in the ministry, he should rejoice in the experiment, by which there was reason to expect that our councils at home might be animated by that astonishing efficiency which had shone conspicuously in his Indian administration.

Sir THOMAS TURTON said he had a trifling amendment to propose, which was, to leave out the words after the word, "influenced," and to insert the following words: "By a desire to extend the British territories in India, in contempt of all treaties, and in violation of the national character."

Mr. S. LUSHINGTON supported the motion.

Mr. M. FITZGERALD felt extreme uneasiness in giving a vote on so personal a subject; but with all his esteem for the private character of marquis Wellesley, and looking only to his politics as a public officer in India, he must give his vote against the Resolution.

The House then divided:

For the amendment - - - - -	19
Against it - - - - - - - - - - -	98
Majority - - - - - -	—79

Mr. Wallace then moved the original

original question of the vote of approbation; upon which

Mr. HOWORTH addressed the Speaker thus: Sir; the House is called upon to determine on the noble lord's motives: there is no human tribunal competent so to decide on them. The merits of the noble lord must be tried by his actions: if you try him by the fundamental resolutions of this House, or by the laws of his country, shew me the resolution or the law which he has not violated. If you try him by the opinions of the directors, there is scarcely an act of his government which they have not condemned, and given such reasons for their opinions as were unanswerable, and therefore they were suppressed. If you try the noble lord by the effects of his government, let us look at the results; at home, irretrievable ruin; look to India, you find there a territorial revenue of fifteen millions, falling short of the expenses of its establishments upwards of two millions annually, loaded with a debt of thirty-two millions, increasing daily; the native powers of India disaffected; their minds alarmed with jealous apprehensions of our ambitious encroachments; disgusted with our humiliating control; disgusted with the disgraceful subordination in which they have been placed: and, in this last instance, of our perfidious policy to the miserable victim of our rapacity, the unfortunate Hussein Ali, disgusted with the baseness of our ingratitude. The mass of Mahomedans in the Carnatic are seeking only for a period to their sufferings, in the subversion of the British government; and even your Sepoy establishment, the last native resource you had to trust to, ready to take up arms against you: every financical resource exhausted; not a rupee in your treasuries: this, Sir, is the state into which Lord Wellesley's mal-administration brought India; this is the state in which he left it; and this is the state in which lord Cornwallis found it. The noble Lord (Castlereagh), has repeatedly introduced the name of Lord Cornwallis into the debate of this night. I would ask the noble lord, I would ask any member of the house, for what reason, for what purpose, was such a man as Lord Cornwallis, at his advanced period of life, not merely called upon, but solicited, intreated, as one of the greatest services he could render to his country, again to undertake the government of India? Was such a man wanted to pursue the system, and tread in the steps of Lord Wellesley? No, Sir, he was sent out for very different purposes. Does the House know how that lamented nobleman was employed from the first moment of his arrival at Calcutta, to the latest period of his existence? He was employed, Sir, in reversing every measure, in cutting down every political act of his predecessor, in endeavouring to repair, or, at least, to put a stop to, the universal mischiefs produced by the measures of Lord Wellesley. This house voted a monument to Lord Cornwallis. If you approve of the conduct of Lord Wellesley, be consistent, at least, and begin where, on this principle, you ought to begin, by ordering Lord Corwallis's monument to be pulled down, and then on its ruins you may erect a statue to Lord Wellesley! But, at last, we are told, that the noble lord's motives were always good, that his zeal to serve the company was

was always ardent: I have already said, there is no human tribunal can take cognizance of his conscience, or penetrate into his motives, abstractedly from his conduct. In my mind, Sir, the noble lord has done all with his eyes open, caring, as it seems, but little for the consequences; secure of protection here; and so he has found it; but before this House proceeds to pass a vote, which, as an honourable director (Mr. Grant) has told you, will be attended with incalculable mischief in India, I trust it will reflect, and I call upon his majesty's ministers, before they lend their aid to a measure so pregnant with disgrace to the British name and character, to reflect on those duties which they owe to their sovereign, to their country, and, in truth, to their own characters. I thank the house for the indulgence it has shewn me, I shall tresspass no longer, but shall give my decided negative to the present question. The house then divided,

For the Vote of Approbation	98
Against it	19
Majority	79

STATE PAPERS.

Petition of the East India Company, presented to the House of Commons, Tuesday, April 26th, 1808.

"That the petitioners, for many, years last past, have been entitled to, and have carried on, and are now entitled to, and carry on, the sole and exclusive trade between the United Kingdom of Great Britain and Ireland and the East Indies and China; and the petitioners are also in the possession of certain territories in the East Indies, yielding a large annual revenue, the immediate government of which territories is exercised under the orders of the court of directors of the petitioners; but the supreme superintendence, direction, and controul of all acts, operations, and concerns which in any way relate to the civil or military government and revenue of the said territories, has been for many years past, and is now vested in the Board of Commisioners appointed by his majesty for the Affairs of India, according to the act of parliament in that case made and provided:—That the petitioners concerns are principally of two kinds, one of which regards the civil and military government of the said territory, its political relations, and the Indian debt incurred in respect thereof; the other of which regards the commerce carried on by the petitioners, and the debts and credits of the petitioners relating thereto:—That the petitioners, being established by law as the only channel of commercial intercourse between his majesty's dominions and the East Indies and China, the legislature has, from time to time, imposed restrictions upon the powers which the petitioners, as a corporation, might otherwise have exercised, and has provided regulations for the conduct of the concerns of the petitioners, and particularly with respect to the raising of money at home for these purposes; by reason whereof, and by reason that the petitioners concerns are intimately connected with those of the public, and are of a nature and magnitude which cannot be managed by the means applicable to those of individuals, the petitioners have been obliged, on different emergencies, from time to time, to apply to the house for relief on various points:-That in the course of the last and the present war, the petitioners have incurred various expenses for expeditions from the continent of India to the French, Dutch, and Spanish Islands in the Indian Seas, and to Egypt, under the instructions of his majesty's government, which expenses were advanced upon the reliance of the petitioners that they were to be fully reimbursed by the public, and different sums have at different times been issued to the petitioners in respect thereof; nevertheless the petitioners claim that a large balance is still due to the petitioners on that account:—That the petitioners were, on the 1st of March last, indebted to his majesty for Customs and for Excise, to the amount of 1,410,238*l.* and are still at this time indebted to his majesty on the said account in the sum of 770,000*l.*; and upon a prospective estimate of the pecuniary transactions of the petitioners in England from the 1st of March last to the 1st of March, 1809, it appears that the payments, including the said debts to his majesty, to be made by the petitioners within that period, will exceed the probable amount of their receipts within the same period by the sum of 2,433,185*l*. or thereabout, not including in the said receipts any part of the balance which may appear to be due by the public to the petitioners; and it would be highly inconvenient and disadvantageous that the petitioners should raise the whole of that sum by the means now in their power: — That the petitioners are not conscious of having created or aggravated their financial

cial pressure which the petitioners now feel, but that the same has been produced by a combination of the following causes; that is to say: 1. The vast amount of the debt accumulated in India in respect of the territorial possessions, and the high rate of interest which such Debt bears, the effects of which have been to intercept the surplus of the Indian Revenue intended by parliament to be derived from thence to the commerce of the petitioners, and to occasion large drafts on the petitioners at home for the payment of interest on the said Debts, as well as payments for political charges, appertaining to the Indian territory out of the home funds of the petitioners: 2. The very large sums advanced by the petitioners for the expeditions from India before-mentioned, part of which was borrowed in India at a high rate of interest:—3 The deterioration occasioned in the affairs of the petitioners by a state of European war since 1793, under the following heads: 1st. in freight and demurrage, which, in the course of 14 years, have created an increase of expense to the petitioners by the sum of 7,000,000l. sterling; 2d, in the increased cost of the manufactures of this country exported by the petitioners, to the annual amount, on the average of 13 years, from 1793-4, of about 1,690,000l. sterling, which increase has not been counterbalanced by an increase in the selling prices abroad of the same goods, nor by diminution in the cost of goods purchased abroad for importation into England; 3d, in diminution of profits on the Indian investments homeward:— 4. The large supplies in goods and bullion sent out to India and China by the petitioners between the years 1802 and 1806, exceeding very considerably the returns which have been made them in the corresponding number of years; those supplies were originally furnished for the purpose of increasing the investments of the petitioners, in order that by increased commercial profits, joined to increased revenue savings, the Indian debt might be in part liquidated; but in the years 1803 and 1804 when those supplies arrived in India, great part thereof, particularly of the bullion, was absorbed by the expenses of the war then carried on against the Mahrattas; and in 1805, to aid the Indian finances of the petitioners in the said war, they still sent large supplies of bullion, besides the usual exports of goods, which latter were also to assist the manufactures of this country, continued to be exported upon an extended scale to India and China in 1806, all which exports in the said several years are among the more immediate causes of the pressure now felt upon the home finances of the petitioners, the returns hitherto received for the said exports failing, as already observed, far short of their amount.— 5. The comparatively small investments which were sent home to the petitioners from India during the years 1803-4-5, whereas, if investments in proportion, even to the amount usual in preceding years had been sent home, they could then have been sold, and would have produced a considerable influx of money into the petitioners treasury in England, which would have been ready to have counteracted the effect of the very small sales which, in the present state of Europe, can only be made, and which tends to the further embarrassment of the affairs of the petitioners: 6. That anterior to the period of 1802, mentioned under the 4th head, and during a period of ten years, from 1797 to 1807, the advances made out of the petitioners funds at home, for supplies in goods and bullion sent to India and China, for payment of bills of exchange drawn upon the petitioners from thence, and for sums paid in England on account of political and military charges, appertaining to the Indian territory, have very largely exceeded all the returns received in the corresponding period from the said countries, which, by an account carefully made out, appear to be indebted to the home concern in the said period to an amount exceeding five million sterling.—That the petitioners do not presume to request the interposition of the house to aid them in their present emergency, without at the same time shewing their unquestionable ability to discharge all their present debts in England, and to repay whatever the House may in its wisdom think fit to assist them with; for, independent of the Indian Debt which the petitioners submit is justly chargeable on the Indian territory, the petitioners beg leave to state that, on the 1st of March last, the sum total of Debts, carrying interest and not carrying interest, owing by the petitioners in England, then amounted to the sum of 9,122,624l. (not including the

amount

amount of their capital stock, but including the debts herein before mentioned to be due to his Majesty for Customs and Excise); and the sum owing by the public to the petitioners, taking the same as it stands in the annual account at 2,460,000l. and other good debts due to them in England, together with the value of the petitioners' goods now unsold in their warehouses, and of the petitioners houses, warehouses, and other property in England, amount to the sum of 14,149,623l.; and moreover, the petitioners certainly expect further goods from India and China in the course of the present year to the amount of 5,271,000l. which, added to the last-mentioned sum, will make their actual property in England amount to 19,420,623l. from which the debts aforesaid being deducted, there will remain a balance of 10,298,002l.; but taking only the amount of the goods now unsold in their warehouses, being 7,815,305l. and the amount of goods to be expected in the course of the year, being 5,271,000l. both will make an aggregate of property amounting to 13,086,305l. and if from this be deducted the estimated amount of sales in the course of the year, there will still remain, at the end of the year, goods to the amount of 8,307,092l. as a security for any loan that may be made:—That the various Accounts and Estimates necessary to support an application by the petitioners to the House for relief in the premises could not be made out in time for the petitioners to prepare and present a petition thereon before the time limited for receiving private petitions was elapsed; and therefore praying that, in consideration of the circumstances of their case, leave may be granted to them now to present to the house their petition, praying that the House will be pleased to take the matters aforesaid into their consideration, and to grant to the petitioners such relief in the premises as their case may require, and to the House shall seem meet."

Appendix, No. 1.

CORRESPONDENCE relating to the discussions between Mr. WITTWER and Mr. WRIGHT, the accountants employed in the examination of the Account depending between the PUBLIC and the EAST INDIA COMPANY; on the principle of adjustment of the Account.

Whitehall, 23d April, 1807.

SIR,

THE progress of the investigation of the account depending between the public and the East India company, being interrupted by a radical difference in opinion between Mr. Wright, the accountant nominated by the company and myself, on the interpretation of the principles laid down in the report of the committee; and Mr. Wright having observed, that, without the sanction of his superiors, he does not feel himself justified in acquiescing in any other mode of stating the account, than in conformity with the opinion he has formed; I am under the necessity of requesting that you will be pleased to submit the cirumstances of the case to the consideration of the right honourable the lords commissioners of his Majesty's treasury, and receive their instructions for my guidance. The origin of the difference which has occurred, and the grounds on which we have respectively drawn our conclusions, being distinctly detailed in minutes recorded on the subject, I have annexed copies of those documents, presuming it would be the best mode of bringing the subject before their lordships: it therefore may be only necessary here to submit, that the questions for consideration are, whether it was intended in the principle laid down by the committee of the House of Commons,

That the peace, or ordinary charges of the troops employed at Ceylon and the eastern islands, from the 1st May, 1796, to 31st December, 1801, are to be admitted in the accounts as a charge upon the public: if not,

That the supply by the company to the island of Ceylon, from 1st November, 1798, to 31st December, 1801, is to be admitted as the sum chargeable to the public, without reference to the application of it.

I have the honour to subscribe myself,

Sir,

Your most obedient servant,

T. N. WITTWER.

MINUTES of the proceedings of Mr. WITTWER, accountant on the part of the public, and Mr. WRIGHT, Accountant on the part of the East India Company.

Mr. Wittwer observed, that on referring to the amount of the supplies to Ceylon,

Ceylon, between November, 1798, and December, 1801, he discovered that the whole supply from Madras and Bengal during the period, with a small disbursement by the military paymaster-general, was taken as the charge: that by the Ceylon books the whole of the military expenses were defrayed from those supplies and from the revenues: that it is his idea, according to the principle laid down by the report of the committee, the charge of the island is to be equally divided between the company and the public, from May, 1796, to December, 1801, with the exception of the peace establishment of the troops, which is to be borne wholly by the company: that the account of the demand upon the public had been thus drawn up to November, 1798, excluding the peace establishment. It is therefore his opinion, that the ordinary or peace expense of the troops for the period in question; viz. from November, 1798, to December, 1801, should be deducted from the amount of the supplies, and that a further adjustment should be made of the revenues of the island for the same period.

Mr. Wright.—In reply to Mr. Wittwer's observations on the charge for Ceylon, from November, 1798, to December, 1801, inclusive, Mr. Wright remarks as follows:

1st. As to the principle conceived by Mr. Wittwer to be laid down in the report of the committee of the House of Commons, Mr. Wright entertains some doubts of its being intended to apply in the manner noticed; he understands it was meant that the company should be reimbursed half their expenses of Ceylon and the Dutch Islands.

2d. The charge for Ceylon, from November, 1798, accordingly consists of the advances and supplies made, there being, at the time the account was first stated, no other information on the subject; and the documents to form the account being very defective, Mr. Wright apprehends considerable difficulty will occur in framing the statement in the mode alluded to by Mr. Wittwer, as the usual pay of the troops must be taken by estimate.

3d. But, in proceeding to form such an account, credit should be given for the ordinary pay, &c. for troops raised expressly for service at Ceylon; for instance, the Malay corps; the usual pay for this should be brought to credit, not only from 1798, but from its first formation in 1796.

4th. The charge for Ceylon, in the present state of the account, consists, as above-noticed, in the advances for, or supplies to, the island. The company having no controul over the disbursements of Ceylon, since October, 1798, it was not thought necessary to make any enquiry regarding them; but Mr. Wright can have no objection to opening the account in the way Mr. Wittwer mentions; in doing which, due credit must of course be given to the company for a proportion of the revenue. In the mean time, the observation respecting additional corps may be left to the determination of superior authorities.

Mr. Wittwer deems it proper to offer some further observations, in consequence of Mr. Wright's reply, respecting the statement of the Ceylon account, from November, 1798, to December, 1801.

1st. On the principle. Mr. Wittwer admits, that the principle laid down by the committee of the House of Commons, on which the company are to be reimbursed the half of their expenses for Ceylon and the Dutch Islands, it is merely stated, in a general way, without distinctly and literally prescribing the nature of the disbursement, whether for extra charge, or otherwise. But he must take leave to remark, that by inference it seems established, that the committee, in determining upon the general principle, could only have in view the mode of statement in the account referred to their consideration by the House, which account was drawn out by the officers of the company, under their own special direction, and had likewise undergone rerepeated investigation by commissioners on the behalf of the public, whose minutes on this very account, in concert with some of the gentlemen of the East India direction, being recorded, confirm, as he conceived, that it was understood that the peace establishments of the troops employed, not only on these services but on other services, for which a demand is made upon the public, is to be borne by the company, and that the war and extra expenses only are to become chargeable to the public. On this principle it appears to Mr. Wittwer, that

that the whole of the accounts have been drawn up, and therefore he cannot consider himself authorized, without superior authority, to deviate from it. As to the Malay corps, Mr. Wittwar does not dispute that it may be considered, in some degree, as an extra charge for a force raised expressly for the service at Ceylon; but as it was not so taken in the original formation of the account, and does not appear to have come under observation in any of the discussions on the subject, Mr. Wittwer cannot take upon himself to admit this expense as a claim upon the public: he therefore begs to express his satisfaction, that Mr. Wright is disposed to leave the point to the ultimate determination of superior authorities.

With regard to the point which has given rise to the present discussion, viz. the expense of Ceylon between November, 1798, and December, 1801. Mr. Wittwer, at the same time he is not unwilling to admit there is scope for argument, on the ground stated by Mr. Wright, as to the company possessing no controul over the administration of the Island in that period; yet, under the circumstances in which he is placed, he presumes this cannot be taken into present consideration; and that the only course he can pursue is a literal and strict attention to the line marked out by the report of the committee, and this leaves no latitude but to state the account from May, 1796, to December, 1801, upon one uniform principle. The difficulties in the way of so doing, are certainly very great, from the complete alteration in the nature and formation of the books and documents consequent upon the change in the mode of administration of the Island in November, 1798. Mr. Wittwer is aware, that from this circumstance, the extra charges can only be separated from the ordinary or peace charges by computation on the respective proportions of each, in former months; and proposes that the account be so made up.

By the mode above proposed, uniformity of statement will be preserved to the period when the entire administration of the island was assumed by his Majesty's government, in December, 1801.

Mr. Wright.—1st. Having, since the meeting of the 16th instant, given the most deliberate and authentic consideration to the observations of Mr. Wittwer expressive of his ideas of the manner in which the account for Ceylon, from the 1st November, 1798, to the 31st December, 1801, should be stated, and having carefully re-perused the report of the committee of the House of Commons; Mr. Wright finds himself under the necessity of objecting altogether to the principles of framing the Ceylon account, contended for by Mr. Wittwer.

2d. Mr. Wright conceives these principles have been adopted on a mistaken construction of the committee's report. No mention is made in that report of extra expenses as to Ceylon, and the other Dutch islands; the only article of the company's claims, in which the committee have used the terms extraordinary expenses, is the charge for the expedition to Egypt. And as to the inference from the mode of statement in the account before the committee, Mr. Wright must be permitted to doubt its accuracy. That the account was drawn out by the company's officers is certain; but if it were formed upon the principles stated, it is to be recollected, that the company expected the full reimbursement of the amount; which being denied, the account necessarily, as Mr. Wright conceives, is liable to correction and alteration, as well in principle as in figures, under the report of the committee.

3d. Mr. Wright admits, the proceeding hitherto observed, in examining the Dutch accounts, has been upon the principle now proposed, on his part, as well as on that of Mr. Wittwer; but a more attentive examination has convinced Mr. Wright of the error therein.

4th. That the committee referred to the account before them is not disputed. The difference of opinion arises from the construction of their intentions, as to the alteration to be made in it on the principles they have recommended.

5th. If the revision, according to Mr. Wittwer's construction, is to be proceeded on solely in view to the account as stated, Mr. Wittwer has only to examine the charges made by the company, to see if they are correct or otherwise; whereas he himself appears to depart from this view, by introducing the Ceylon books from 1st November, 1798, the charges in which are not in the account as stated. The books were never completely, until within these few days, in the company's possession; the receipts and charges in them were not subject to the company's authority.

 6th. Now,

6th. Now, if the objection to admit the expense of the Malay corps, "because it was not taken in the original formation of the account," be valid, the same reason should, in justice, operate to the exclusion of the charges in the Ceylon books, from November, 1798; for the charges specified in those books "were not taken in the original formation of the account;" and as to the observation of the charge for the Malay corps, it is certain, that it never occurred to recollection at any of the discussions that took place.

7th. But further, Mr. Wright observes, that the committee, in the classification of the several heads of claim, have placed "the expense of the capture and maintenance of Malacca and the Moluccas, and for the maintenance of Ceylon," in the third class, to be equally divided between the public and the company. It seems necessary, therefore, in stating the whole expense, that the ordinary, as well as other charges, should be included. It does not appear, that, in any other manner, the expense can be said to be equally divided. There is no "exception of the peace establishment," mentioned by Mr. Wittwer, contained in the committee's report.

8th. The principle above-mentioned appears so equitable as scarcely, in Mr. Wright's opinion, to admit of doubt. How can it be said, that two parties bear an expense equally between them, if from the aggregate a proportion is first deducted, and charged exclusively to one of the parties?

9th. Mr. Wittwer has evidently formed his ideas of the mode he has suggested of stating the accounts, from observing, in the discussions that formerly took place on the company's claims, the terms "extra expense" made use of, as well as from seeing these terms in the accounts; but in regard to the latter, he must be sensible that they contain other items, besides the additional allowances to the troops, incidental to war; and, as to the former, Mr. Wright must repeat his doubt of the accuracy of the inference thence deduced, for the reason above stated. The terms "extra expense" are liable to different constructions. The question still recurs, what are extra expenses? They may signify expenses for which the revenues of the country cannot provide; in which sense Mr. Wright has reason to believe they were taken, during the former discussion relative to Ceylon. It is obvious, also, that the whole expense, whether ordinary or otherwise, of troops employed in defending foreign possessions, becomes an "extra expense," when new levies are made to supply the place of those troops, or where such levies are made for the express purpose of being so employed.

10th. The latter observation is particularly applicable to the Malay corps, mentioned above. But Mr. Wright purposely refrains from insisting on the more general argument in support of his opinion, upon the present occasion, founded on the increase made to the ordinary military establishment, for the purpose, among others, of maintaining the Dutch possessions, this being a subject involving considerations of a great extent, which can be determined only by superior authorities.

11th. Mr. Wright has before noticed the difficulties in the way of making out the account in the mode proposed; and Mr. Wittwer has fully admitted these difficulties in his recent observations, wherein he allows, that it must, in some degree, be stated by computation. From what is above remarked, Mr. Wright very much doubts the practicability of making up the accounts from May, 1796, to December, 1801, upon the uniform principle mentioned; or that uniformity of statement will be preserved to that period. It is evident, in any view, that neither clearness nor accuracy of calculation can be expected from the means proposed, and that, after all, the account will be, in part, an estimate, and that formed on very uncertain grounds.

12th. To conclude; — The manner in which the account should now be stated, Mr. Wright conceives is this:

13. The whole expense of whatever kind, defrayed by the company for Ceylon, from the 1st May, 1796, to the 31st October, 1798, to be charged.

14. From the 1st November, 1798, to the 31st December, 1801, the whole of the supplies to, or payments on account of Ceylon, by the company, to be charged.

15. Half of the above, according to the report of the committee, to be allowed to the company.

16. The reason for stating the latter period in the way proposed is, that from the 1st November, 1798, the company had no controul over the expenses of the Island;

Island; it would be obviously unjust, therefore, to make them accountable for any proportion of disbursements made under such circumstances, nor does Mr. Wright conceive this was intended.

17. As to Malacca and the Moluccas, the whole of the company's expense, whether ordinary or otherwise, to be stated during the entire period of the accounts; half of which to be carried to the credit of the company, conformable to the rule laid down in the committee's report.

18. Upon these principles alone, Mr. Wright conceives, the account should be stated; therefore, without the sanction of his superiors, he does not feel himself justified in acquiescing in any other mode.

21st April, 1807.

Mr. Wittwer having stated, in his minute of the 16th instant, the grounds on which he has been led to form his opinion on the principles laid down in the report of the committee of the House of Commons, for the settlement of the account between the public and the company, in so far as relates to Ceylon; and Mr. Wright having, in his reply of the 18th, stated his view of the intention of the committee, in the principle laid down by them in a way directly contrary, and having further extended his view of the operation of the principle beyond what was supposed to be in contemplation; the discussion on this point must necessarily be deferred, till Mr. Wittwer shall have submitted the whole of the proceedings to the consideration of the lords of the treasury, as he should not conceive himself authorized to agree to such a radical change in the mode of statement, if even the observations of Mr. Wright had operated to produce any alteration in the sentiments of Mr. Wittwer on the subject.

Under such circumstances, what has now been remarked might suffice. But there are some points in the observations last made by Mr. Wright, which Mr. Wittwer feels himself bound, in justice to himself, and in vindication of his proceedings, more distinctly to notice, lest it should be supposed that Mr. Wittwer, from a pertinacity in his own opinions, had been the means of protracting the completion of an investigation which, on every consideration, both regarding the public and the East India Company, it is desirable should be brought to a close.

Mr. Wright, it is presumed, must admit, that, where principles are only laid down in the general manner in which they are laid down, in the report of the committee, the interpretation of their intention must be a matter of opinion only, and that therefore the difficulty of coming to a satisfactory conclusion is great.

Mr. Wittwer, however, conceives it proper to offer some further remarks, in support of the conclusions he has been induced to draw, and to detail the grounds of them. It is impossible for him to judge what were the intentions of the committee, or on what principles the classification of the claims was formed, further than as it may be gathered from the Report and Appendix. The third class, respecting which the difference of opinion has now arisen, is "An account "of the expense incurred by the capture and maintenance of Malacca and "Moluccas, and for the maintenance of "Ceylon, deducting the profit on "spices," which is prescribed to be equally divided between the company and the public; and the account No. 3. in the Appendix, is referred to in the margin.

Mr. Wittwer must be allowed to presume, that the component parts of the account, thus classed by the committee, must have been understood by them, and that the term extra expenses of the military, distinctly mentioned in most of the year's statements, was understood to be on the same principles as in the other accounts, *viz.* the charges exclusive of what would have been disbursed by the company, if the troops had remained on the Peninsula, unemployed on foreign expeditions; and not merely the extra expense for which the revenues of the conquered countries could not provide, as adverted to by Mr. Wright.—Mr. Wittwer admits, that the committee, in their report, do not expressly and literally sanction any exception as to peace establishment; but he rests his opinion of the intentions of the committee solely upon the mass of collateral evidence to be collected from the Report and Appendix. Whether the principle Mr. Wittwer contends for, be founded in equity or not, is not the point in question. He refers to the record, from which may distinctly be gathered, the

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company have extensive claims upon the public; these claims are arranged under distinct heads in several accounts, which accounts are ultimately brought to the consideration of parliament, and in which accounts the company only demand reimbursement of extra charges, on the principle already stated by Mr. Wittwer. Can Mr. Wittwer, therefore, be authorized to suppose, that the committee of the House, to whom these accounts were referred, could intend to give the company what they did not originally demand, or that, in dividing the sum claimed between the public and the company, the division was to be made otherwise than on the accounts under their consideration? This account, with the others, was stated to require revision; but *that*, Mr. Wittwer conceives, was simply investigation or examination of the account itself. If additions were to be made to it, or alterations in principle introduced, it is to be presumed they would have been distinctly mentioned in the report.

Finally, Mr. Wittwer cannot admit of the distinction mentioned by Mr. Wright, as to the interpretation of the intention of the committee, with respect to the term extra expense being applicable only to claims, the whole of which are allowed.

Copy of a letter from GEORGE HARRISON, Esquire, to Mr. WITTWER, dated 18th June, 1807; with the Extract from the minutes of the Lords Commissioners of the Treasury, of the 12th June, enclosed therein.

SIR,

The lord's commissioners of his majesty's treasury having had under their consideration your letter of the 23d April, 1807, praying further directions relative to the examination of your accounts with the East India Company,—I am commanded by their Lordships to transmit a copy of their minute thereon, for your information and guidance.

I am, Sir

Your most obedient Servant,

(Signed) G. HARRISON.

Treasury Chambers,
12th June, 1807.

F. N. Wittwer, Esq.

Extract of Treasury minute, dated 12th June, 1807.

READ letter from Mr. Wittwer, dated 23d April last, requesting further directions relative to the examination of the accounts between the public and the East India Company,

READ also report of the Committee of the House of Commons on the account between the public and the East India Company, and the papers presented to the House of Commons, relating to the said account, ordered to be printed the 27th June last.

My Lords cannot entertain a doubt that the principles established by the committee of the House of Commons, for the adjustment of the claims of the East India Company against the public for the expenses incurred at Ceylon and the Eastern Islands were adopted with a reference to the acounts presented by the company, and then actually before the committee, as printed in the Appendix to their report, and consequently, as the extra expenses alone of the troops employed on those services are generally stated in these accounts, that it could not be in the contemplation of the committee, that any part of the ordinary expenses thereof, should be made a charge against the public. Upon this point my lords conceive it to be impossible that there should exist any difference of opinion between the respective accountants, as far as relates to the periods for which the accounts were actually before the committee, and upon which they had to decide; nor are my lords aware of any principle being laid down, or any exception taken in the said report, from which it can be inferred, that it was in the contemplation of the committee that a different rule and scale of adjustment should be applied to the accounts of the charge incurred at the above settlements, subsequent to the periods for which the accounts were then before them. What possible ground can be assigned for any deviation from the principle adopted by the committee, as far as it applies to the charges incurred for the Eastern islands, my lords are altogether at a loss to conjecture, as they are not apprized of any circumstance or occurrence which occasioned any change whatever in the situation of those islands, either with relation to the East India Company, or to the public, at any period between 1798 and 1801; and they are, therefore, decidedly of opinion, that the ordinary charges cannot be admitted in this part of the account. But with respect to Ceylon, my lords are disposed to be of opinion that

that it may fairly admit of a doubt, whether the charge made in the government of that island, in November, 1798, and, consequently, in its connection with, and dependance upon, the East India Company, would not warrant the application of the principle contended for by Mr. Wright, from that period, particularly as it appears that the company then ceased to have any controul over the expenses of the island, and that any separation of the ordinary from the extraordinary expenditure could only be made by estimate and computation, and not from any existing statement of the charges actually incurred.

My lords therefore conceive it may be expedient, without pledging themselves to any final decision on the question, that the account for Ceylon, from the 1st of November, 1798, to the 31st December, 1801, should be prepared in two ways, viz.

1st. The whole of the supplies or payments on account of Ceylon by the company to be charged, and one half thereof to be allowed to the company.

2dly. That from the total of the above amount of supplies or payments by the company, there should be deducted, in the first instance, such a sum as, according to the best estimate or computation that can be made by the accountants, the ordinary charges may have amounted to, and that one half of the remainder should be allowed to the company.

When the account is thus prepared, my lords will have this part of the question again under their consideration; and in case the doubts they cannot but entertain should not then be removed, and the difference between them and the East India company cannot be otherwise satisfactorily adjusted, my lords will feel it their duty to submit to parliament the expediency of referring to another committee the reports made by former committees, and all other documents on this question, for their final examination, decision, and report.

Transmit copy of the foregoing Minute to Mr. Wittwer, for his information and guidance.

Copy of a letter from Mr. Wittwer to the honourable Henry Wellesley, dated 4th November, 1807; with two Inclosures.

Whitehall, 4th November, 1807.

Sir,

I am honoured with your letter of the 9th ult. signifying the desire of the right honourable the lords commissioners of his majesty's treasury, that I should suggest the latest period at which I think it would be practicable to wind up the accounts with the East India Company either by the end of this year or the beginning of the next.

Having, in my letter to Mr. Harrison, of the 16th Sept. adverted, in a general way, to the difficulty of defining the period when this business can be brought to a close, it now remains to explain, more particularly, the causes to which this difficulty is to be ascribed. In so doing, I must take leave to call to your recollection, that the account itself is prepared by Mr. Wright, the officer appointed by the East India Company, that my province is to examine, with him, the principles on which the account is framed, with the calculations. The objections which I have felt myself obliged to make to several of the documents from India, and in other respects have considerably lengthened the discussion, and of course protracted the settlement of the business. As that gentleman must naturally be best informed, as to the means he may be furnished with to obviate my objections, as well as of the extent of the claims which may still be outstanding upon the public, the necessity of a reference to him, before I could comply with their lordships' directions will, I trust, appear obvious.

I have, therefore, addressed Mr. Wright upon this subject. Copies of my letters to him, and of his reply, are hereunto annexed, as the best means of bringing to the view of my Lords the nature of the obstacles in the way of winding up the account.

And I take leave to add, that the part calling more particularly for the consideration of their lordships is the account of the demands by the office of his majesty's paymasters-general, which is essentially requisite before any balance can be even estimated; and it is at the same time to be observed, that this account will be minutely examined on the part of the company.

On the whole, therefore, I humbly hope it will appear to their lordships that the delay in the settlement of this long

long-pending account, is solely to be attributed to the various circumstances which have now been brought to their consideration, and that it is not in my power to yield a literal obedience to their commands, by defining the period when the business can be brought to a final close.

I am, Sir,
With due respect,
Your most obedient servant,
T. N. WITTWER.

Honourable Henry Wellesley,
&c. &c. &c.

Whitehall, 26 Oct. 1807.

SIR,

Having received the commands of the right honourable the lords commissioners of his Majesty's treasury to suggest the latest period at which it would be practicable to wind up the accounts depending between the public and the East India Company, either by the end of this year or the beginning of next, I am unable to yield obedience to them, without a reference to you upon the subject.

As it naturally falls to you to be best acquainted with the extent of the claims of the company upon the public, and with the documents which may have been received to establish those claims, I shall esteem myself obliged, if you will favour me with such observations as shall assist me in replying to their lordships' directions; also with your opinion as to the period at which it may probably be practicable to wind up the whole of the accounts as they now stand.

I am, Sir,
Your most obedient servant,
(Signed) T. N. WITTWER.

William Wright, Esq.

East India House, 2d Nov. 1807.

SIR,

I HAVE been honoured with your's of the 26th ult. stating that you have "received the commands of the right honourable the lords commissioners of his Majesty's treasury, to suggest the latest period at which it would be practicable to wind up the accounts depending between the public and the East India Company, either by the end of this year, or the beginning of next; that you are unable to yield obedience to those commands, without a reference to me on the subject;' desiring, therefore, "such observations from me as may assist you in replying to their lordships' directions;" and "my opinion, as to the period within which it may probably be practicable to wind up the whole of the accounts as they now stand."

In reply, I have to observe, that it is not possible, in my opinion, to wind up the accounts either by the end of this year or the beginning of next, and for the following reasons:

1st. From the want of the complete accounts from India of the charges of the Egyptian expedition, as I have understood from you, in the course of the examination we have been making, that you are not satisfied with the correctness of the documents from which those charges have been stated; and, I have no hesitation in acknowledging they are not sufficiently perfect to authorize your admission of them: before, therefore, this article of the Company's claims can be clearly and explicitly stated, it will be necessary to wait the arrival of more particular information from India.

2dly. From the want of statements from his Majesty's pay office, relative to the demands on the company for expenses of the King's regiments serving in India, you are aware, that these demands, as hitherto received, include only to the end of the year, 1803, and the particular explanations of the accounts to that period, so long ago, and so repeatedly desired, have not yet been furnished.

3dly. From want of more precise explanations regarding some of the heads of charges against the public, contained in the last abstract account, with a copy of which you have been furnished; viz. the expenses of the last expedition to the Cape, those relative to Trinidad and Buenos Ayres.

And, lastly, From the difference of opinion which prevails, as to the construction of the principles intended to be laid down by the Committee of the House of Commons, in their report of June, 1805, for stating the accounts of Ceylon and the Eastern Islands. From the communications I have been honoured with, I apprehend it is not likely that the company will be contented to abide by the decision of the right honourable the lords commissioners of his Majesty's treasury, contained in their lordship's minute of the 12th June last, on the reference you found yourself under the necessity of making to them upon this subject. Until, therefore, some accommodation of this disagreement

disagreement should take place, the final settlement of the accounts must be postponed.

These are the principal obstacles which present themselves to the completion of the accounts, at either of the periods you have mentioned; and from what is above stated, you will readily perceive that it is entirely out of my power to offer an opinion, as to the period within which it may be practicable to wind up the whole of the accounts as they now stand.

I have the honour to be,
Sir,
Your obedient, humble servant.
(Signed) WM. WRIGHT.

T. N. Wittwer, Esq.

COPY of a Letter from the honourable HENRY WELLESLEY to Mr. WITTWER, dated 31st December, 1807; with the extract from the minutes of the Lords Commissioners of the Treasury enclosed therein.

SIR,

THE lords commissioners of his Majesty's treasury having had under their consideration your letter of the 4th November last, in answer to one from this board, relative to the probable period at which it will be practicable to wind up the accounts between the public and the East India Company, I am commanded by their lordships to transmit a copy of their minute thereon, for your information and guidance.

I am, Sir,
Your most obedient servant,
(Signed) H. WELLESLEY.

Treasury Chambers, 31st Dec. 1807.

T. N. Wittwer, Esq.

Extract of TREASURY MINUTE, dated 14th December, 1807.

READ letter from Mr. Wittwer, dated 4th November last, in answer to one from this board, relative to the probable period at which it will be practicable to wind up the accounts between the public and the East India Company, and enclosing copy of the correspondence between him and Mr. Wright, the officer appointed by the East India Company, to prepare the accounts.

My lords are of opinion, notwithstanding the several difficulties stated by Mr. Wittwer and Mr. Wright, owing to some of the accounts not being as yet received from India, and to that of the pay office not being completely made out, that it would be very desirable to balance the account between the public and the East India Company, as well as it can be done, from the materials and vouchers which now exist, or which may very speedily be brought forward, and put into the hands of the respective accountants, up to the end of the year 1803, which my lords conceive will include all claims, on either side, up to the close of the last war: and my lords are therefore pleased to direct that the accountants, having reference to the principles laid down in the reports of the committees of the House of Commons, and in the minute of this board of 12th June last, should proceed to prepare such an account, and to strike the balance thereupon, so that it may, if possible, be submitted to their lordships early in the ensuing session of Parliament.

In directing this account so to be prepared and balanced, my lords are of opinion, that, notwithstanding any balance which may be declared to be due on either side, it shall be open to either party to produce such claims, though arising prior to the end of the year 1803; and that such claims should be admitted, if properly supported by proofs and vouchers, to the satisfaction of the other; and, in like manner, that either party may, upon what may appear to him sufficient grounds (if furnished to him by any information or documents obtained subsequent to the account being so balanced) proceed to challenge and disallow any items therein, and claim, upon a statement of the case, to have such particular heads of charge reconsidered. And my lords are further of opinion, that any settlement of accounts that may take place between the public and the East India Company, upon the principles, and with the exceptions herein stated, ought not to preclude the respective accountants from proceeding to examine and balance the accounts subsequent to the year 1803, as expeditiously as the nature of the respective claims, and of the vouchers by which they may be supported, will admit; but that this latter account should be proceeded upon separately, and kept distinct from the former.

Transmit copy of this minute to Mr. Wittwer, for his information and guidance, and to the paymaster of the forces, with directions to expedite, as much as possible, the account of claims outstanding against the East India Company in his office, up to the end of the year 1803.

No. I.

No. II.—*Charges in Regimental Accounts objected to---Charges in Extra Payments objectionable---Disputed Deduction from Pay-Office Charges---Abstract Amount Deductions, or Suspensions from Pay-Office Accounts.*

CHARGES IN REGIMENTAL ACCOUNTS OBJECTED TO.

NATURE AND AMOUNT OF THE CHARGE.	£.	s.	d.	GROUNDS OF OBJECTION.
1793. 77th regiment: Paid 30th August, 1792, for subsistence to a Detachment...	264	12	6	The period of charge being antecedent to the commencement by the Act of 1793.
1796. 22d (25th) Dragoons: Extra feed, paid May, 1796.	700	—	—	The regiment embarked at the Cape for India, April, 1796.
Do. Subsistence, paid at the Cape.........	*150	—	—	* Requires explanation as to date.
12th regiment of foot: Subsistence, paid 12th April, 1796..........................	6,726	—	—	The regiment did not embark till June, 1796, when another large payment is charged. If this sum, 6,726l. was for subsistence prior to June, it is not chargeable to the company.
19th Do. Subsistence, paid April, 1796...	7,340	—	—	If this was for a period prior to the 29th April, when the reg. embarked.
Payments in the West Indies, for the 12th and 19th foot................................	85	—	—	
33d regiment: Subsistence and other payment prior to November, 1796...........	7,907	14	—	The regiment embarked 1st November, 1796, from the Cape.
78th regiment: Subsistence, to October, 1796..	14,606	3	2	The regiment embarked 1st November, 1796.
80th regiment: Do to Do.	8,627	15	—	Do. - - - Do.
Do. paid at the Cape.......	4,803	—	—	Such part as belongs to a date prior to 1st November, 1796.
Allowance.........	636	14	—	
Off-reckonings...............	2,332	8	—	
1797. 78th reg. Allowance to Captains, 4th March to 24th December, 1796, £727 14 2				
Proportion prior to 1st November, 1796..	597	11	9	Reg. embarked 1st Nov. 1796.
Do. Off-reckonings, 4th March to 24th December, 1796............£.2,672 8 0				
Proportion to 1st November, 1796.........	2,194	11	—	
	56,796	16	11	
80th regiment: Similar payments, the period not stated..................................	2,969	—	—	Such part as belongs to a date prior to 1st November, 1796.
1798. 52d regiment: Recruiting, paid 7th July and 18th August, 1798..............	3,037	—	—	The regiment left India in February, 1798, and disembarked in England the 2d August, 1798.
Do. Subsistence, paid 25th August......	1,000	—	—	Do. - - Do. - - Do.
71st regiment: Subsistence, paid August, 1798...	2,835	—	—	The regiment disembarked 16th July, 1798.
Do. Off-reckonings..............................	1,593	—	—	
72d Do. Do. Do..................................	1,724	—	—	Do. - - - Do.
Do. Subsistence..................................	1,106	14	—	
25th (29th) Dragoons: Subsistence, paid March, 1798...	6,800	—	—	If for a period prior to 23d March, 1798, when the regiment embarked, not chargeable.
Do. Off-reckonings, paid June, 1798.....	1,935	—	—	
Do. Allowances to Captains, Do..........	369	18	—	
73d, 75th, and 80th: Off-reckonings for Augmentation..	795	14	10	If the regiments were augmented in numbers, and the augmentation did not proceed to India, the expense not chargeable.
80th regiment: Subsistence to invalids, paid at the Cape..................................	22	18	4	Invalids, it is presumed, were kept at the Cape, and not sent to India.
51st Do. Subsistence paid in Portugal, to 24th October, 1798..........................	2,965	11	5	For periods prior to embarkation of the reg. viz. 2d October, 1798.

(continued.)

Charges in Regimental Accounts objected to—*continued.*

NATURE AND AMOUNT OF THE CHARGE.	£.	s.	d.	GROUNDS OF OBJECTION.
1799. 10th reg. of foot: Subsistence, paid at the Cape, to 24th January, 1799......	350	—	—	Supposed to be for part of the regiment at the Cape.
51st reg. Off-reckonings for Augmentation................................	871	1	5	See above, as to augmentation.
73d Do. - - Do........................	356	1	4	
36th Do. Subsistence paid in August......	2,300	—	—	If the reg. disembarked 19th July, and were paid in advance in India.
Do. - Recruiting, paid in June..........	300	—	—	Improperly charged, the regiment being on its voyage home.
75th regiment, 77th Do., 78th Do., 84th Do., 94th Do. } Subsistence of Invalids, paid at the Cape........	421	19	—	Invalids at the cape cannot be chargeable to the comp. it is not to be supposed they were sent to India.
	4,599	1	9	
1800. Do. Do. Do..............................	146	—	—	Do - - Do - - Do.
	146	—	—	
1801. 19th reg. light dragoons: clothing and accoutrements for augmentation......	1,482	5	3	It is understood that the comp. are chargeable only for the King's troops, from the period of their embarkation for India; consequently these regs. should be clothed and accoutred, and the furniture for the horses provided, before embarkation. Also the augmentation cannot be chargeable to the comp. until the force added to the reg. proceeded to the East Indies.
Horse furniture for Do................	1,056	11	9	
Off-reckonings for Do..................	386	11	2	
22d light dragoons: similar charges.........	2,631	—	3	
24th - - Do. - - Do. - - Do..............	2,067	10	2	
25th - - Do. - - Do. - - Do...	2,077	16	1	
Similar charges for clothing and accoutrements, and Off-reckonings for augmentations to the regiments of foot........	2,624	3	2	
73d Foot, 78th -, 84th -, 86th -, 94th - } Subsistence to Invalids at the Cape.............	443	13	6	Invalids at the Cape cannot be considered as on the India service.
	12,769	11	4	
1802. Invalids at the Cape, for different regiments, charged this year.................	1,248	1	—	
Off-reckonings for the augmentation and to complete, for different regiments, charged this year..................................	11,377	10	6	See above.
22d Foot, 34th - } Allowances for great coats......	163	16	—	Cannot be required for India service.
65th - - Payments this year...................	6,353	6	—	By the Adjutant-General's return of 28th April, 1808, this reg. left the Cape in September, 1802, and Feb. 1803, proceeded to Ceylon, where it remained until Feb. 1804; consequently is not chargeable to the comp. prior to the last-mentioned period.
	19,142	13	6	
1803. 8th, 19th, and 22d dragoons: Accoutrements and horse furniture..........	218	11	9	See above, 1801.
34th regiment of foot: Subsistence at the Cape..	930	17	3	Such part as relates to a period prior to embarkation.
65th - - Charges this year.....................	9,576	18	11	See note in 1802.
	10,726	7	11	

Charges in Regimental Accounts objected to—*continued.*

NATURE AND AMOUNT OF THE CHARGE.				GROUNDS OF OBJECTION.
1804. 17th foot: Subsistence	6,835	—	—	Such part as relates to a period prior to embarkation, viz. 4th July.
	6,835	—	—	
1805. 53d foot: pay, March, 1805	290	6	5	The reg. embarked April 20, 1805.
59th Do. Do. June 25th	800	—	—	This reg. embarked 9th July.
Do. Do. paid 12th July	6,640	—	—	
67th Do. pay, 25th March	232	5	2	This reg. embarked 22d April.
Do. 18th April	8,490	—	—	
69th Do. Do. 25th January	141	18	9	
- - - - 25th February	2,200	—	—	This reg. embarked 23d Feb.
- - - - 4th March	5,174	—	—	
	23,968	10	4	
1806. 30th foot: pay, 25th April	2,660	—	—	
- - - - - - - 9th May	6,200	—	—	The reg. embarked 6th May.
- - - - - - - 19th Do.	1,450	—	—	
73d Do. - Do. - 21st July	2,160	—	—	The reg. disembarked in England the 21st June, 1806.
	12,470	—	—	
Off-reckonings, 20th March, 1807	1,252	—	—	
76th - - - Do. - Do	1,279	18	—	Do. Do. 17th July, 1806.
Swiss regiment, Do. - Do	1,412	—	—	Do. Do. 1st and 2d Aug. 1806.
1807. 1st foot: pay, 25th March	1,600	—	—	
- - - - - Do. 7th April	5,440	—	—	The reg. embarked 13th April, 1807.
- - - - - Do. 21st	2,320	—	—	
14th Do. - - Do. 25th May	909	13	—	The reg. embarked 19th June.
	14,213	11	—	

YEARS.	Marches.	Innkeepers.	Extra Price of Bread and Meat and Necessaries; Consolidated Allowances.	Contingencies.	Extra Allowance, Extra feed to the Dragoon Regiments.	TOTAL.
1793 ...	..	...	20	...	...	20
1794 ...	...	...	390	...	...	390
1795 ...	330	...	1,210	...	...	1,540
1796 ...	2,655	...	1,294	...	...	3,949
1797 ...	465	300	1,490	...	...	2,255
1798 ...	180	50	...	440	...	670
1799 ...	150	...	...	...	...	150
1800 ...	...	370	...	...	...	370
1801 ..	...	...	...	630	110	740
1802 ...	...	1,465	230	990	60	2,745
1803 ...	...	3,418	406	919	50	4,793
1804 ...	...	3,515	435	946	50	4,946
1805 ...	...	5,875	...	3,805	...	9,680
1806 ...	...	3,490	...	1,797	290	5,577
1807 ...	...	2,340	...	780	...	3,120
£	3,780	20,823	5,475	10,307	560	40,945

It is understood, that Charges of these description having no relation to Troops in India, are not properly carried to the debit of the Company.

CHARGES IN EXTRA PAYMENTS OBJECTIONABLE.

NATURE AND AMOUNT OF THE CHARGE.	£.	s.	d.	GROUNDS OF OBJECTION.
1793: Pay to Major Dirom, as deputy-adjutant-general in India, 25th December, 1792, to 31st January, 1793..........	28	10	—	Major Dirom left India February, 1792, and another officer was paid as deputy-adjutant-general from that period.
1794, Do. Do. Do. to the 31st July, 1793.......	135	15	—	Do. - Do. - Do.
1795: Pay of Major Haldane, as deputy quarter-master-general in India, 365 days, to 30th November, 1794	365	—	—	Major Haldane left India in December, 1793, and another officer was paid as deputy quarter-master-general thereafter.
1797: Pay of Major-General Ross, as adjutant general in India, 365 days, to 24th October 1794...	365	—	—	General Ross left India 10th Oct. 1793, and another officer was paid as adjutant general after that time.
Pay of Lieut. Colonel Nightingale as major of brigade, 212 days, to 31st March 1795............................	106	—	—	Lieut. Col. Nightingale left India in July, 1794, and another officer was paid as Major of Brigade after that period.
Passage money to officers of the 78th regiment to the Cape..............................	1,974	15	10	The passage money of these officers from England to India was paid in Bengal.
Passage money to the officers of the 80th regiment to the Cape.	666	—	—	The reg. not chargeable to the company until after it left the Cape.
1799: Pay to Lieut, Col. Auchmuty, as Adjutant general in India..........................:	380	—	—	Lieut Col. Auchmuty left India in January, 1797, after which another officer was paid as Adjutant-general.
Pay to Lieut. Colonel Hall, as quarter-master-general in India... ....:	380	—	—	For the same reason.
Passage money to India, for officers of the 36th, 52d, 71st, and 72d regiments............ ..	2,025	—	—	These regs. left India in 1798.
Do. - - - to officers of the 19th regiment, £180................	90	—	—	Half the expense only to be borne by the company.
1800: Pay to Dr. Ewart, as Physician-general in Ceylon, to 24th December, 1798........	1,017	7	2	Dr. Ewart's appointment as Physician Gen. at Ceylon was not made by the company, nor was Ceylon under the company's direction after October, 1798.
Passage money to Dr. Ewart	149	—	—	
Pay to Lieut. George Cornish, as brigade major, 337 days, to 31st January, 1799.......	168	10	—	Lieut. G. Cornish left India in March 1798, and another officer was paid as brigade-major after that period.
Passage to India for officers of regiments serving in Ceylon, 1,620*l.* half......................	810	—	—	See above.
Passage money to India, of officers of the 52d regiment...	270	—	—	This reg. left India in 1798.
1802: Pay to Lieut. Colonel Gordon as adjutant gen. 191 days, to 24th August, 1801, 191*l.* and to Lieut. Colonel Cliffe, as quarter-master-general in India 186 days, to 19th August 1801, 186*l.*....	377	—	—	These officers left India in February, 1801, and others were paid as adjutant and quarter-master-general from that time.
Pay to Dr. Ewart....................	1,329	—	—	See above.

Charges in Extra Payments Objectionable—*continued.*

NATURE AND AMOUNT OF THE CHARGE.				GROUNDS OF OBJECTION.
Amount brought forward				
1803: Passage money to India for officers of the 19th and 51st regiments to India..............	1,140	—	—	These regs. were serving in Ceylon, and no expense thereof is chargeable to the company after December, 1801.
Do. - Do. - to Do. of the 71st regiment...........................	70	—	—	This reg. left India in 1798.
Do. - Do. - of the 61st regiment	95	—	—	This reg. was not on the India establishment.
1804: Passage money to India of officers of the 19th and 51st regiments...........................	665	—	—	See above.
Pay to Captain Handasyde, as Judge advocate....................	183	—	—	Captain Handasyde left India in May, 1803.
1805: Passage money to India for officers of the 19th regiment foot........................	95	—	—	The 19th reg. was in Ceylon.
Staff pay to General Baird, from 11th May, 1803...........	339	2	4	General Baird left India in May, 1803.
Do. - - to General Sir James Craig, from December, 1801...	428	12	2	General Sir James Craig left India in December, 1801.
Do. - - Lieutenant-Colonel Nicholson, as deputy adjutant-general in India	297	—	—	Lieut. Colonel Nicholson left India in December, 1803.
1806: Allowances to Gen. Don	1,568	6	5	General Don was not in India.
Clothing for supernumeraries of the late 9th West India regiment................................	678	—	2	This reg. was never in India.
Pay to Lieut. Colonel Nicholson	244	—	—	See above.
Total - -	£16,439	19	—	

Computed DEDUCTION from PAY-OFFICE CHARGES, for Regiments serving in Ceylon,

1795.—The 72d Regiment was in Ceylon from Sept. to Dec. 1795: - - - - -			
The Charge, in 1795, is £	3,620		
say 1-3 - -		1,207	
The 52d Regiment was in Ceylon, October to Dec. 1795: - - - - - -			
The Charge in 1795 is £.	5,967		
say 1-4 - -		1,492	
The flank companies of the 71st and 73d were also in Ceylon, but no just estimate can be made of the proportion to be deducted. - - - - - - -			
Deduction from 1795 - - - -			2,699
1796—The 52d Regiment was in Ceylon January to March: - - - - - -			
Total Charge £.	6,899		
say 1-4 - -		1,725	
A Detachment continued till October, but the proportion cannot be made.			
The 72d and 73d were in Ceylon the whole year: - - - - - - -			
72d Total Expense £.	8,282		
73d Do - - -	9,400		
	17,682		
1-3 for January to April. - -		5,894	
		7,619	
Half of the remaining 2-3 - -		5,894	
The 19th Regiment was in Ceylon December, 1796: - - - - - - -			
Total Charge 1796	13,248		
say 1-12	1,104		
half is - -		552	
Deduction from 1796 - - - -			14,065
1797—The 19th Foot was in Ceylon this year			
Total Charge	11,180		
half - -		5,590	
The 72d and 73d were in Ceylon January to April - - - Do -	10,163		
say 1-3	3,387		
half - -		1,693	
The 80th Regiment was in Ceylon March to December: - - - -			
Total Charge	11,424		
say 5-6	9,520		
half - -		4,760	
Deduction from 1797 - - - -			12,043

Computed Deduction from Pay-Office Charges, &c.—continued.

1798—The 19th and 80th Regiments were in Ceylon this year: - - - - -			
19th Total Charge	7,474		
80th Do -	6,607		
	14,081		
half - -		7,040	
Deduction from 1798 -		- -	7,040
1799—The 19th and 80th Regiments were in Ceylon this year: - - - -			
19th Total Charge	7,105		
80th - Do -	7,396		
	14,501		
half - -		7,251	
Deduction from 1799 - -		- -	7,251
1800—The 19th, 51st, and 80th Regiments were in Ceylon this year: - - -			
19th Total Charge	6,008		
51st - Do - -	5,016		
80th - Do - -	5,125		
	16,149		
half - -		8,075	
Deduction from 1800 - -		- -	8,075
1801—The 19th, 51st, and 80th Regiments were in Ceylon this year: - - - -			
19th Total Charge	12,401		
51st - Do - -	12,605		
80th - Do - -	11,142		
	36,148		
half - -		18,074	
Deduction from 1801 - -		- -	18,074
1802—The Charges for the Regiments at Ceylon in 1802, and following years, are stated in the Pay Office Accounts to be, for 1801.			
In 1802 the Charge for the 19th Regiment is.	8,281		
51st - Do -	6,147		
	14,428		
half - -		7,214	
The 80th Regiment left Ceylon this year, and arrived at Madras in September, 1802; -			
The whole Charge being	8,730		
take 7-12 for the sum to be divided	5,092		
half - -		2,546	
Deduction from 1802 - -		- -	9,760
1803—The Charge for the 19th Regiment is	298		
Do - - 51st Do - -	193		
	491		
half - -		245	
Deduction from 1803 - -		- -	245
[illegible]5—The charge for the 19th Regiment is	302		
half - -		151	
Deduction from 1805 - -		- -	151
TOTAL - -			79,403

Appendix, No. 4.

Statement of the Account between the Public and the East India Company, prepared conformable to the Resolutions of the Select Committee appointed to enquire into the present State of the affairs of the East India Company.

	Principal.	Interest.	Total.
MAURITIUS.			
1794-5.—Expenses paid in India.	123,610		
Interest, at 6 9 per cent. from 1st November, 1794, to 1st March, 1808.		102,185	
Total.			225,795
Demurrage, &c. paid in England.	31,510		
Interest at L.4. 10. 11½. per cent. from 1st August, 1794, to 1st March, 1808.		19,465	
Total.			50,975
	155,120	121,650	276,770
Deduct overpaid, in 1797, for stores sent out for the Expedition, but afterwards used for other Services	35,880		
Interest at 4 per cent. per Annum, the rate charged in 1797, on all Payments from Government, from 1st Aug. 1797, to 1st March, 1808.		15,189	
Total			51,069
Total, MAURITIUS.	119,240	106,461	225,701
CAPE OF GOOD HOPE.			
1795-6.—Demurrage, &c. paid in England	68,538		
Interest at L.5. 19. 9¼. per cent. from 1st May, 1797, to 1st March, 1808.		44,464	
Total			113,002
1795-6.—Sundries, Bengal	93		
Interest at 7. 14. per Cent, from 1st November, 1795, to 1st March, 1808.		82	
Total			175
1797-8.—Gunpowder from Bengal	8,768		
Interest at 11. 72. per Cent. from 1st November, 1797, to 1st March, 1808.		10,619	
Total			19,387
1800-1.—Freight &c Bengal	1,990		
Interest at 9. 27. per cent from 1st November, 1800, to 1st March, 1808		1,352	
Total			3,342
1801-2.—Sundries, Freight, &c. Bengal.	18,423		
Interest at 8. 72. per cent from 1st November, 1801, to 1st March, 1808.		10,174	
Total			28,597
1802-3.—Freight, &c. Bengal	357		
Interest at 7. 8[illegible]. per cent. from 1st November, 1802, to 1st March, 1808		149	
Total			506
Total, Cape	98,169	66,840	165,009
Total.	217,409	173,301	390,710
Carried over.			390,710

No. IV.—Statement of the Account between the Public and the East India Company, &c.—*continued*.

		Principal.	Interest.	Total.	
		£	£	£	
Brought over					390,710
MANILLA:					
1797-8. Provisions, freight, &c.		252,286			
Interest at 11 72. per cent. from 1st November, 1797, to 1st March, 1808			305,535		
Total ...					557,821
Deduct stores returned, 1798-9		21,313			
Interest at 10.6. per cent. from 1st November, 1798, to 1st March, 1808			21,085		
Total				42,398	
		230,973	284,450	515,428	
1798-9. Freight, &c.		6,542			
Interest at 10.6. per cent. from 1st November, 1798, to 1st March, 1808			6,472		
Total				13,014	
Table money paid in England		4,990			
Interest at 6*l*. 4*s*. 11*d*. per cent. on 2,589*l*. from 1st November, 1798, to 1st March, 1808	1,509				
Do. at 5*l*. 6*s*. 2½*d*. per cent. on 2,401*l*. from 1st July, 1799, to 1st March, 1808	1,105		2,614		
Total				7,604	
Freight, &c. paid in England		105,016			
Interest at 5*l*. 6*s*. 2½*d*. per cent. from 1st Jan. 1799, to 1st March, 1808			51,121		
Total				156,137	
Remuneration to commanders and officers of Ships paid in England, January, 1800		8,700			
Interest at 4*l*. 14*s*. 2½*d*. per cent. from 1st February, 1800, to 1st March, 1808			3,312		
Total				12,012	
Do. Do. paid in April, 1800		2,750			
Interest as above, from 1st May 1800, to 1st March, 1808			1,015		
Total				3,765	
Total		358,971	348,984	707,955	707,955
Carried forward					1,098,665

No. 4.—Statement of the Account between the Public and the East India Company, &c.—*continued.*

	Principal.	Interest.	Total.	
	£	£	£	
Brought forward				1,098,665
Vessels, &c. and Stores for King's Ships, 1797-8	29,603			
Interest a' 11. 72. per cent. from 1st Nov. 1797, to 1st March, 1808		35,851		
Total			65,454	
1798-9	29,703			
Interest a' 10. 6. per cent. from 1st November, 1798, to 1st March, 1808		29,387		
Total			59,090	
1799-1800	18,811			
Interest a' 9. 14. per cent. from 1st November, 1799, to 1st March, 1808		14,327		
Total			33,138	
1800-1	13,200			
Interest a' 9. 27. per cent. from 1st November, 1800 to 1st March, 1808		8,974		
Total			22,174	
1801-2	25,154			
Interest a' 8. 72. per cent. from 1st November, 1801, to 1st March, 1808		13,891		
Total			39,045	
1802-3	5,703			
Interest a' 7. 82. per cent. from 1st November, 1802, to 1st March, 1808		2,379		
Total			8,082	
1803-4	21,472			
Interest a' 8. per cent. from 1st November, 1803, to 1st March, 1808		7,444		
Total			28,916	
1804-5	30,381			
Interest a' 8. 84. per cent. from 1st November, 1804, to 1st March, 1808		8,952		
Total			39,333	
1805-6	20,749			
Interest a' 9. 688. per cent. from 1st November, 1805, to 1st March, 1808		4,690		
Total			25,439	
	194,776	125,895	320,671	
DEDUCT:				
1799-1800. Bills in favour of Court	6,808			
Interest a' 9. 14. per cent. from 1st November, 1799, to 1st March, 1808		5,185		
Total			11,993	
1800-1...Do. - - - Do.	24,790			
Interest a' 9. 27. per cent. from 1st November, 1800, to 1st March, 1808		16,852		
Total			41,642	
	31,598	22,037	53,635	
Nett	163,178	103,858	267, 36	
DANISH CAPTURES.				
1801-2. Amount Expense	23,559			
Interest a' 8. 72. per cent. from 1st November, 1801, to 1st March, 1808		13,010		
Total			36,569	
				36,569
Carried over				[illegible],27

No. 4.—Statement of the Account between the Public and the East India Company, &c.—*continued.*

	Principal.	Interest.	Total.	
	L.	L.	L.	L.
Brought over…………………	…	…	…	1,402,270
EGYPTIAN EXPEDITION.				
1798-9.—Naval Armament to join Admiral Blanket in the Red Sea…………………	17,058			
Interest, a' 10.6. per cent, from 1st March, 1799, to 1st March, 1808…………………	…	16,273		
Total…………………	…	…	33,331	
1800-1.—Expense of Expedition, Freight, &c…………………	673,903			
Interest, a' 9. 27. per cent. from 1st Nov. 1800, to Do…………………	…	458,119		
Total…………………	…	…	1,132,022	
1801-2.—Expense…………………	681,799			
Interest, a' 8. 72. per cent. from 1st Nov. 1802, to Do. …………………	…	376,535		
Total…………………	…	…	1,058,334	
1802-3.—Expense…………………	469,047			
Interest, a' 7. 82. per cent. from 1st Nov. 1802, to Do…………………	…	195,623		
Total…………………	…	…	664,670	
Bills drawn by General Baird, in 1802…….	76,736			
Interest, a' 3. 18. 1¾. per cent. from times of payment to Do. …………………	…	16,299		
Total …………………	…	…	93,035	
Total…………………	1,918,543	1,062,849	2,981,392	
Deduct—Usual or ordinary pay of Troops in Egypt, as in former account…………………			300,000	
Remainder…………………£.			2,681,392	
Add—Estimated Amount of the Ordinary Charges of such of his Majesty's regiments as went from India to Egypt, and did not return thither, of the regiment that was in Egypt, and not landed in India ; and the ordinary charges of levies made in India, to replace Volunteers from Native Corps sent to Egypt, including interest…………………			180,000	
				2,861,392
Carried forward…………………£.				4,263,662

No. 4.—Statement of the Account between the Public and the East India Company, &c.—*continued.*

		Principal.	Interest.	Total.	
		L.	L.	L.	L.
Brought over.........		...	...	...	4,263,662
CEYLON, including ordinary Charges from 1795 to 31st October, 1798:—after that period the supplies furnished charged.					
1795-6.—Expense of Capture..................		364,021			
Interest, at 7. 14. per cent from 1st Nov. 1795, to 1st March, 1808..................		...	320,557		
Total....................		...	...	684,578	
1801.—Balance of Property, 31st Dec..........................	L.248,791				
Remittances, January to April, 1802..........................	55,753				
		304,544			
Interest, a' 9. 27. per cent. on 12,814l from 1st Nov. 1800.	8,711				
Do. a' 8.72. per cent. on 235,977, from 1st Nov. 1801............	130,322				
Do. a' 8. 72. per cent. on 55,753 from 1st March, 1802	29,170				
		...	168,203		
Total.........	...	...	...	472,747	
1802-3.—Remittances..........................		70,682			
Interest, a' 7. 82. per cent. from 1st Nov. 1802, to 1st March, 1808..................		...	29,479		
Total..........................		...	...	100,161	
1801 to 3.—Freight, &c. of Stores, Troops, &c. sent to Ceylon, on account of government, estimated at..........................		20,000	...	20,000	
1803-4.—Remittances..........................		68,827			
Interest, a' 8 per cent. from 1st November 1803, to 1st March, 1808..................		...	23,860		
Total..........................		...	...	92,687	
1804-5..		55,834			
Interest, a' 8 84. per cent. from 1st Nov. 1804, to 1st March, 1808..................		...	16,452		
Total..........................		...	...	72,286	
1805-6..		13,594			
Interest, a' 9. 6. 88. per cent. from 1st Nov. 1805, to 1st March, 1808..................		...	3,073		
Total..........................		...	...	16,667	
1806-7..		24,351			
Interest, a' 8. per cent. from 1st November, 1806, to 1st March, 1808..................		...	2,597		
Total		...	...	26,948	
Total CEYLON, chargeable in full...		921,853	564,221	1,486,074	1,486,074
Carried over..............		...	...	...	5,749,736

No. 4.—Statement of the Account between the Public and the East India Company, &c.—*continued.*

	Principal.	Interest.	Total.	
	L.	*L.*	*L.*	*L.*
Brought over..................	... ...	... ...	... ...	5,749,736
Expense of Maintenance, 1796 to November, 1798, and Supplies after that date, to 31st December, 1801, including rdinary Charges in the first period.				
1796-7	251,881			
Interest a' 8 24. per cent. from 1st Nov. 1796, to 1st March, 1808..................	... ...	235,223		
Total...........................	... ...	... ...	487,104	
1797-8.....................................	110,845			
Interest a' 11. 72 per cent. from 1st Nov. 1797, to 1st March, 1808...............	... ...	134,241		
Total...........................	... ..	... ...	245,086	
1798-9..	361,014			
Interest a' 10. 6 per cent from 1st Nov. 1798 to 1st March 1808..................	... ...	357,163		
Total...........................	... ...	... ...	718,177	
1799-1800.......................................	296,007			
Interest a' 9. 14 per cent. from 1st Nov. 1799, to 1st March, 1808..................	... ...	225,459		
Total...........................	... ...	... ...	521,466	
1800-1..	283,730			
Interest a' 9. 27. per cent from 1st Nov. 1800, to 1st March, 1808..................	... ...	192,880		
Total...........................	... ...	... ...	476,610	
1801, to December, 1801....................	237,518			
Interest a' 8. 72. per cent. from 1st Nov. 1801, to 1st March, 1808..................	... ...	113,174		
Total...........................	... ...	... ...	350,692	
	1,540,995	1,258,140	2,799,135	
Deduct...Balance of Property, as above	248,791	139,033	387,824	
L.	1,292,204	1119,107	2,411,311	
Carried forward...half allowed.....	646,102	559,554	1,205,656	
Carried forward..........	... ...	... ...	... ...	5,749,736

No. 4.—Statement of the Account between the Public and the East India Company, &c.—*continued.*

	Principal.	Interest.	Total.	
	L.	*L.*	*L.*	*L.*
Brought forward - -	- -	- -	- -	5,749,736
Ceylon—brought forward -	646,102	559,554	1,205,656	
EASTERN ISLANDS, including Ordinary Charges:				
1795-6. - - - -	70,985			
Interest at 7. 14. per cent. from 1st Nov. 1795, to 1st March, 1808. - -	- -	62,509		
Total - - -	- -	- -	133,494	
1796-7. - - - - -	150,450			
Interest at 8. 24. per cent. from 1st Nov. 1796, to 1st March, 1808. - -	- -	140,500		
Total - - -	- -	- -	290,950	
1797-8. - - - -	84,780			
Interest at 11. 72. per cent. from 1st. Nov 1797, to 1st March, 1808. - -	- -	102,674		
Total - - -	- -	- -	187,454	
1798-9. - - - -	186,763			
Interest at 10. 6 per cent. from 1st Nov. 1798, to 1st March, 1808. - -	- -	184,771		
Total - . -	- -	- -	371,534	
1799-1800. - - - -	127,130			
Interest at 9. 14 per cent. from 1st Nov. 1799, to 1st March, 1808. - -	- -	96,831		
Total - -	- -	- -	223,961	
1800-1. - - -	234,840			
Interest at 9. 27. per cent. from 1st Nov. 1800, to 1st March, 1808. - -	- -	159.644		
Total - -	- -	- -	394,484	
1801-2. - - -	195,850			
Interest at 8. 72. per cent. from 1st Nov. 1801, to 1st March, 1808. - -	- -	108,161		
Total - -	- -	- -	304,011	
1802-3. - - -	215.528			
Interest at 7. 82. per cent. from 1st Nov. 1802, to 1st March, 1808. - -	- -	89,890		
Total - -	- -	- -	305,418	
1803-4. - - -	215,184			
Interest at 8. per cent. from 1st Nov. 1803, to 1st March, 1808. - -	- -	74,598		
Total - -	- -	- -	289 782	
1804-5. - - -	37,964			
Interest at 8. 84. per cent. from 1st Nov. 1804, to 1st March, 1808. - -	- -	11,186		
Total - -	- -	- -	49,150	
1805-6. - - -	55,612			
Interest at 9. 6. 88 per cent. from 1st Nov. 1805, to 1st March, 1808 -	- -	12 572		
Total -	- -	- -	68,184	
CANTON - - - -	4,300	1,288	5,588	
Bills on Europe, not included above	15 568	4,140	19,708	
L.	1,594,954	1,048,764	2,643,718	
Half - -	797 477	524,382	1,321,859	
Carried forward...Total half Ceylon and the Eastern Islands with interest to 1st March, 1808. -	1,443,579	1,083,936	2,527,515	
Carried over -	- -	- -	- -	5,749,736

No. 4.—Statement of the Account between the Public and the East India Company, &c.—*continued.*

	L.	L.	Principal. £.	Interest. £.	Total. £.	
Brought over - - - - - - - - - - - - - -						5,749,736
CEYLON, &c. brought over - -			1,443,579	1,083,936	2,527,515	
Deduct - Half the Profit on Spices - - -			423,395			
Interest at 6*l*. 4. 11 per cent. on 6,481 from 1st Oct. 1798, to 1st Mar. 1808 - - - - - - - - - - - - -	6,481	3,312				
Do. at 5*l*. 6. 2¾. per cent. on 47,645 from 1st June, 1799, to Do - - - -	47,645	22,139				
Do. - - at - - Do. - - on, 56745 from 1st Dec. 1799, to Do. - - - -	56745	24,860				
Do. at 4*l*. 14. 2½. per cent. on 33,816 from 1st August, 1800, to Do. - -	33,816	12,077				
Do. at 5*l*. 5. 5¾. per cent. on 16,460 from 1st Jan. 1801 to Do. - - -	16,460	6,219				
Do. - - at - Do. - - - on 7,549 from 1st March - - Do. to Do. - -	7,549	2,786				
Do. - - at - - Do. - on 37,987 from 1st July - - Do. to Do. - - -	37,987	13,351				
Do. - - at 3*l*. 18. 1¾. per cent. on 38,357 from 1st Feb. 1802 to Do. - - - - - -	38,357	9,117				
Do. - - - at - - - Do. - - - on 3,161 from 1st April - - Do. to Do. - - -	3,161	731				
Do. - - - at - - - Do. - - - on 46,349 from 1st July - - Do. to Do. - -	46,349	10,262				
Do. - - at 5*l*. 2. 5 per cent. on 9,859 from 1st Feb. 1803 to Do. - - - -	9,859	2,567				
Do. - - - at - - - Do. - - - on 37,612 from 1st August - Do. to Do. - - - -	37,612	8,828				
Do. - - at 5*l*. 9 2¾ per cent. on 21,828 from 1st Jan. 1804, to Do. - - - -	21,828	4,966				
Do. - - - at - - - Do. - - - on 20,110 from 1st August - - Do. - Do. - - -	20,110	3,934				
Do. - - at 5*l*. 3. 2¼ per cent. on 15,797 from 1st Feb. 1805 to Do. - - - - - -	15,797	2,513				
Do. - - - at - - - Do. - - - on 17,404 from 1st July - - Do. to Do. - - - -	17,404	2,395				
Do. - - at 4*l* 19. 7 per cent on 8,922 from 1st Feb. 1806 to Do. - - - - - -	8,922	406				
Do. - - - at - - - Do. - - - on 2,313 from 1st Sept. - - Do. to Do. - - -	2,313	173				
- - - -	423,395			131,136		
Total - - - - - -					554,531	
Remains - - half Net Expenses, deducting half the Profit on Spices - - -			1,020,184	952,800	1,972,984	
Carried forward - - - - - - - - -						7,722,720

No. 4.—Statement of the Account between the Public and the East India Company, &c.—continued.

		Principal.	Interest.	Total	
		L.	L.	L.	
Brought forward.					7,722,720
TRINIDAD.					
Expense attending Chinese Settlers.		23,400			
Interest, at 9 6. 88. per cent. from 1st Nov. 1805, to 1st March, 1808.			5,290		
Total.				28,690	
1797: CEYLON.					
Bills drawn for the regiment De Meuron, paid in 1797, not included in the former account		32,000			
Interest, at 5. 19. 9½. per cent. from 1st March, 1797, to 1st March, 1808.			21,084		
Total.				53,084	
1805-6. CAPE OF GOOD HOPE.					
Value of Company's cargo on board the Britannia, lost going to the Cape.	119,811	149,811			
Value of Ship and Stores.	30,000				
Interest, at 5. 3. 2¾. per cent. from 1st Nov. 1805.			18,035		
Total.				167,846	
Supplies from St. Helena.		5,708			
Interest, at 5. per cent. from Nov. 1, 1805....			666		
Total				6,374	
Drafts on Bengal by the Military and Naval Commanders, for Beer taken out of the Varunna, country ship, and issued to King's troops.	L. 3370				
Freight, &c. of King's troops on two ships.	938				
Ditto of ships taken up by the Military and Naval Commanders to forward troops, &c. to India.	not yet ascertained.				
Estimated Demurrage of Ships going to the Cape.	17,572				
		21,880		21,880	
Rice sent from Madras.		7,602			
Interest, at 8 per cent. from 1st July, 1806.			1,014		
Total.				8,616	
BUENOS AYRES.					
Sundries supplied from St. Helena, in 1806, for the expedition, pay, &c. to troops sent, estimated.		3,844			
Interest, at 5 per cent. from 1st Nov. 1806, to 1st March, 1808.			256		
Total.				4,100	
Passage of officers, &c. to the Cape and Ceylon, men sent out for the Navy, Stores, &c.		115,964	32,057	148,021	
Estimated amount of charges incurred by the East India Company, for prisoners captured at sea, from the year 1793.		300,000		300,000	
		660,209	78,402	738,611	738,611
Total Debits carried over.					8,461,331

No. 4.—Statement of the Account between the Public and the East India Company, &c. *continued.*

	Principal.	Interest.	Total.	
	L.	*L.*	*L.*	*L.*
Debits—brought forward				8,461,331
CREDITS.				
By Cash, August, 1798	100,000			
Interest, at 10. 6. per cent. from 1st Sept. 1798, to 1st March, 1808, deducting expense of Remittance in Bullion to India.		93,642		
Total			193,642	
Ditto, October, 1798	100,000			
Interest, as above, from 1st November, 1798, ditto		91,875		
Total			191,875	
Ditto, July, 1799	200,000			
Interest, at 9. 14. per cent. from 1st Aug. 1799, ditto		142,787		
Total			342,787	
Ditto, July, 1803	500,000			
Interest, at 8 per cent, from 1st August, 1803, ditto		148,043		
Total			648,043	
Ditto, September, 1803	500,000			
Interest, as above, from 1st October, 1803, Ditto		141,377		
Total			641,377	
Ditto, August, 1805	500,000			
Interest, at 9. 6. 88. per cent, from 1st Sept. 1805, ditto		85,810		
Total			585,810	
Ditto, September, 1805	500,000			
Interest, as above, from 1st October, 1805, Ditto		81,773		
Total			581,773	
Ditto, July, 1806	1,000,000			
Interest, at 8. 0. 32, per cent. from 1st August, 1806, ditto		56.593		
Total			1,056,593	
Total Receipts, with interest, to 1st March, 1808, carried forward	3,400,000	841,900	4,241,900	
Total Debits, carried forward				8,461,331

4.—Statement of the Account between the Public and the East India Company, &c.—*continued.*

	Principal	Interest.	Total.
	L.	*L.*	*L.*
Total Debits—Brought forward........	...	...	8,461,331
Receipts—Brought forward....	3,400,000	841,900	4,241,900

L.	BY PAY OFFICE DEMANDS.	*L.*
28,597	Int. *l.*4 3 4 pr. ct. 1 July 1793 to 1 Mar. 1808,	17,476
48,826	do. 4 10 11½ do. — 1794 to - do. -	30,348
50,317	do. 4 15 9 do. — 1795 to - do. -	30,513
109,017	do. 4 14 3 do. — 1796 to - do. -	92,924
113,026	do. 5 19 9½ do. — 1797 to - do. -	72,211
173,116	do. 6 4 11 do. — 1798 to - do. -	104,521
210,748	do. 5 6 2½ do. — 1799 to - do. -	96,994
175,079	do. 4 14 2 do. — 1800 to - do. -	63,225
258,740	do. 5 5 5¾ do. — 1801 to - do. -	90,936
202,758	do. 3 18 1¾ do. — 1802 to - do. -	44,893
176,952	do. 5 2 5 do. — 1803 to - do. -	42,287
179,883	do. 5 9 2¼ do. — 1804 to - do -	36,008
237,513	do. 5 3 2¼ do. — 1805 to - do. -	32,678
235,581	do. 4 19 7 do. — 1806 to - do. -	19,550
220,255	do. 4 14 7 do. — 1807 to - do. -	6,944
2,480,408		781,508
18,697	Deduct bills in favour of the Comp. not paid.	4,699
2,461,711		776,809
100,000	at 4 14 3 pr. ct. from 1st May, 1796, to ditto, paid by the Company, in Apr. 1796.... ..	55,765
2,361,711		721,044

	Principal	Interest.	Total.
Total—Pay Office Demands.............	2,361,711	721,044	3,082,755
By Victualling Office Demands........ ..	53,171	26,853	80,024
	5,814,882	1,589,797	7,404,679
Deduct, Amount suspended from the Pay Office Demands, on the grounds of the objections to those Accounts..........................			443,767
TOTAL CREDITS..			6,960,912
BALANCE in favour of the East India Company........................			1,5004,19

May, 1808.

(Errors Excepted.)

Thomas Nicholas Wittwer.
William Wright.

Appendix, No. 5.

REPORT from the COMMITTEE on the account between the Public and the East India Company.---*Ordered to be printed 26th June*, 1805. Vide page 30, et infrà, Asiatic Annual Register, 1805; title, State Papers.

Appendix, No. 6.

[*Being Appendix No.* 10, *to the report ordered to be printed 25th June*, 1805.]

Minutes of the meetings held between the Right Honourable Charles Bragge and Nicholas Vansittart, Esq. appointed by the right honourable the chancellor of the Exchequer, and the lords of the treasury, on the part of government; and Jacob Bosanquet, Esq. deputy chairman, and Sir Hugh Inglis, Bart. on the part of the court of directors; for the purpose of settling and adjusting the accounts now depending between the public and the East India Company. Vide page 184, et infrà, State Papers, Asiatic Annual Register, 1805.

Appendix, No. 7.

Supplement to the Observations presented by the Court of Directors to the Committee of the House of Commons, on the 31st March, 1808, respecting the claims of the company on government.

The chief ground on which the commissioners on the part of government, and the committee of 1805, objected to allow the full expense incurred by the company on account of Ceylon, the Moluccas and Malacca, the first of which settlements was made a king's government, and the others in the general arrangements of the peace of Amiens restored to the Dutch, was, that the public had borne the whole expense of the Egyptian expedition, with a share of which the company might very well be charged; and the committee of 1805 have said, that they have aimed at such general arrangement upon the whole of the account, as might best reconcile, on a question liable to considerable difference of opinion, *the fair claims of the parties*.

Now the court of directors presume to think, that the arguments which have been advanced to shew, that the company ought to be charged with a part of the expense of the Egyptian expedition, have been successfully answered. But supposing the company justly chargeable with a share of that expense, supposing even that share to be made one half, which is a proportion far beyond what, upon a just application of the principle, the Indian territory can afford or fairly be burthened with for any such expense, still this mode of settlement would be far less injurious to the company than the one which has been adopted, as will most clearly appear by the following statement, formed upon the last settlement made of the charges of the capture and maintenance of Ceylon, the Molucca Islands, Malacca, and the Egyptian expedition.

The company are charged with half the expense of the maintenance of Ceylon, the Moluccas and Malacca, which is as follows:

Ceylon - - - - -	1,205,656
Eastern Islands, &c. -	1,321,859
	2,527,515
Deduct half the profit on spices which the company have moreover allowed to Government - - -	554,531
Remains a clear deduction from the charge made by the company against government - - - - -	1,972,984
The whole amount of expense incurred by the company for the Egyptian expedition, on the 1st March, 1808, is 2,861,392*l* one half of which, if charged to the company, would be - - - - - -	1,430,696
Difference - - - - - -	542,288

So that by the mode of settlement adopted by the committee of 1805, on the supposition of a fair adjustment of the claims of the parties, the company suffer more than if the principle of an equal participation of expense had, in following up what the commissioners on the part of government contended would be just, been applied to the several expeditions to Ceylon, the Eastern Islands and Egypt, to the extent of 542,288*l*. which sum the company contend to be due to them upon the principles maintained in favour of government; but, upon the principles they themselves maintain, they claim the whole sum of 1,972,984*l*.

East India House,
24th May, 1808.

Appendix, No. 8.

Average of the undermentioned Receipts and Payments of the East India Company, in England, for the following Periods; together with an Estimate of the same for the current Year, from 1st March, 1808, to 1st March, 1809.

	Average of 5 Years from 1st March, 1798, to 1st March, 1803.	Average of 5 Years from 1st March, 1803, to 1st March, 1808.	Average of 10 Years from 1st March, 1798, to 1st March, 1808	Estimate from 1st March, 1808, to 1st March, 1809.
RECEIPTS.	*L.*	*L.*	*L.*	*L.*
Company's goods sold................	7,133,142	5,520,329	6,326,735	4,932,146
Hon. Board of Ordnance, for saltpetre.	24,049	68,000	46,025	185,000
Charges and profit on private trade	167,966	152,555	160,260	80,000
Freight on ditto	—	—	—	—
Interest received of the Bank on the company's share of annuities.	36,227	36,224	36,225	36,226
	7,361,384	5,777,108	6,569,245	5,233,372
PAYMENTS.				
Customs.	367,229	108,717	237,973	59,884
Freight and Demurrage.	1,511,693	1,512,615	1,512,154*	1,788,405
Goods and Stores exported, and Bullion.	2,481,083	2,983,965	2,732,524	2,044,959
Bills of Exchange from India. . .	900,054	523,876	711,965	1,122,175
—— Do. —— China.	556,007	525,310	540,658	855,856
Charges General, including Supra Cargoes, Commission, Interest on Loans, &c. &c.	725,376	736,622	730,999	758,000
Dividends on Stock, and Interest on Bonds.	709,391	742,500	725,945	857,000
Pay to Marine and Military officers on Furlough and retired from service.	45,796	127,384	86,590	160,000
	7,296,629	7,260,989	7,278,808	7,646,279

East India House, 12th May, 1808. (Errors excepted)

CHAS. CARTWRIGHT, *Accountant-Gen.*

Appendix,

COMPARISON of the Fixed and Permanent Sources of RECEIPTS and Receipts and Payments which are of a temporary or occasional nature, and Private Trade, beyond the Charges and Profit thereon, in the

RECEIPTS.	1st Mar. 1798, to 1st Mar. 1803,	1st Mar. 1803, to 1st Mar. 1808.	More latter period.	Less latter period.
	L.	*L.*	*L.*	*L.*
Company's Goods, including Saltpetre to the Board of Ordnance	35,785,958	27,941,646	—	7,844,312
Charges on Profit and Private Trade	839,828	762,775	—	77,053
Interest on the Annuities . . .	181,134	181,119	—	15
	36,806,920	28,885,540	—	7,921,380

Total Receipts from 1st March, 1798, to 1st March, 1803 36,806,920
Payments - - Do. - - - - Do. 36,483,145
Surplus *L.* 323,775

Total Receipts from 1st March, 1803, to 1st March, 1808.. *L.* 28,885,540
Payments - - Do. - - - - Do. . 36,304,951

Deficiency 7,419,411

Deficiency *L.* 7,095,636

Supplied as under:

Balance Cash, 1st March, 1798..	540,645
Receipts from Government on account of the Company's Claims........	3,449,960
Do. - - - Do. - - for Ships sold..	169,986
Loyalty Loan sold..	769,737
Bond Debt increased..	2,396,762
Duty on Tea in the Company's hands on 1st March, 1808..............	1,331,508
Received from several: Composition for staying Law Proceedings. . .	50,236
	L. 8,708,834

Deduct:

Balance Cash, 1st March, 1808, including Tea Duty....................................	*L.* 723,692	
Private Trade Goods, more paid than received.	215,135	
Almshouses at Poplar - - Do. - - - -	30,322	
Repaid the Bank for Loans - - - - - -	350,000	
Captains of worn-out Ships - - - - -	294,049	
		1,613,198
		L. 7,095,636

East India House, 12th May, 1808. (Errors Excepted)

No. 9.

PAYMENTS in England, of the East India Company; exclusive of such as Tea Duties, Money borrowed, Payments made by Government, following Periods.

PAYMENTS.	1st March, 1798, to 1st March, 1803.	1st March, 1803, to 1st March, 1808.	More latter period.	Less latter period.
	L.	L.	L.	L.
Customs	1,836,148	543,588	- - -	1,292,560
Freight	7,558,465	7,563,076	4,611	—
Exports	12,405,416	149,19,825	2,514,409	—
India and China Bills	7,280,303	5,245,929	- - -	2,034,374
Charges General	3,626.879	3,683,112	56,233	—
Officers Pay	228,981	636,920	407,939	—
Interest and Dividends . . .	3,546,953	3,712,501	165,548	—
Captains of worn-out Ships	—	—	—	—
	36,483,145	36,304,951	3,148,740	3,326,934
				3,148,740
			L.	178,194

Charles Cartwright,
Accountant-General.

Appendix,

Account of Sales for Ten Years, from 1798-9 *to* 1807-8;

	1798-9.	1799-800.	1800-1.	1801-2.	1802-3.
	£.	£.	£.	£.	£.
CHINA.					
Teas..................	3,368,608	3,665,321	3,479,218	3,358,284	3,562,653
China Raw Silk......	182,535	71,104	81,683	104,229	131,722
China Ware...	4,032	— —	— —	— —	— —
Nankeens............	88,099	58.557	55,480	76,642	54,485
Wrought Silks..	9,009	— —	— —	— —	4,197
Drugs..................	— —	— —	— —	249	195
China Total.......£.	3,652,283	3,794,982	3,616,381	3,539,404	3,753,252
INDIA.					
Bengal Piece Goods.	1,219,818	1,056,840	1,406,879	1,179,447	660,019
Coast Do........	1,560,470	693,196	963,706	751,727	516,041
Surat and Anjengo..	193,202	177,901	205,283	11,751	184,436
Bengal Raw Silk....	322,873	390,149	297,645	395,410	269,249
Pepper..................	331,625	256,784	317,147	269,246	172,058
Sugar	457,545	123,869	246,569	147,191	102,151
Coffee..................	17,688	26,625	42,264	— —	— —
Saltpetre..............	226,742	410,928	228,250	96,880	156,596
Spices..................	172,637	368,635	241,573	232,894	192,856
Cotton Wool.........	84,686	33,653	12,495	— —	— —
Drugs, &c	79,704	26,979	16,989	2,397	62,978
India, Total.......£.	4,666,990	3,565,559	3,978,800	3,086,943	2,316,384
Total, India and China............	8,319,273	7,360,541	7,595,181	6,626,347	6,069,636

East India House, 10th May, 1808. (Errors excepted.)

No. 10.

distinguishing INDIA and China, and the Species of Goods from each.

1803-4.	1804-5.	1805-6.	1806-7.	1807-8.	
L.	L.	L.	L.	L.	CHINA.
3,484,448	3,148,540	3,620,904	3,566,048	3,795,612	Teas.
100,028	100,732	54,555	92,585	51,144	China Raw Silk.
— —	— —	— —	— —	— —	China Ware.
43,828	58,223	65,240	49,525	— —	Nankeens.
1,373	— —	— —	888	— —	Wrought Silks.
— —	— —	— —	— —	— —	Drugs.
3,629,677	3,307,495	3,740,699	3,709,046	3,846,756	China Total.
					INDIA.
672,031	438,964	620,454	498,134	260,262	Bengal Piece Goods.
419,901	449,731	529,315	186,273	136,177	Coast, ditto.
91,218	14,679	84,617	92,755	86,381	Surat and Anjengo.
292,659	409,192	219,904	192,244	268,066	Bengal Raw Silk.
223,078	141,588	121,844	38,266	75,840	Pepper.
56,879	208,059	294,704	144,506	202,487	Sugar.
37,344	— —	36,322	39,358	18,731	Coffee.
239,170	129,192	217,769	186,896	179,932	Saltpetre.
174,359	153,286	114,246	68,092	116,502	Spices.
— —	— —	— —	— —	— —	Cotton Wool.
29,757	8,335	15,724	25,550	15,837	Drugs, &c.
2,236,396	1.953,026	2,254,899	1,472,074	1,310,215	India Total.
5,866,073	5,260,521	5,995,598	5,181,120	5,156,971	Total India and China.

Charles Cartwright,
Accountant-General.

Appendix, No 11.

Veneris 13° die Maij, 1808.

EXAMINATION of CHARLES CARTWRIGHT, Esq. Accountant-General of the East India Company.

HAVE you made up an Account of the supposed value of the Company's Goods unsold in their warehouses, on the 1st of March, 1808?—I have: the amount is £7,815,305.

Explain to the Committee the principles upon which you made up that account, and how you took the value of the different articles?—My principal guide in valuing those articles in which there is not a probability of material change, such as Teas, &c. is the price at which the articles sold at the preceding sale, and all the articles in this valuation have been valued upon this principle; that Piece Goods have been valued lower than the prices they sold for in the preceding years; Pepper also is in the like predicament; and, since the valuation, Silk in a considerable degree has increased in price as well as pepper.

AN ACCOUNT, exhibiting the Prime Cost of the Company's Goods in Warehouse, in each year, from 1798 to 1808; together with the Prime Cost of the Company's Imports and Sales respectively in the same Period, and the Sale Value of the Goods unsold at the end of each Year.

	Prime cost of the Goods in Warehouse unsold at the Commencement of the Year.	Prime cost of the goods imported in the year.	TOTAL.	Prime cost of the Goods sold in the year.	Prime Cost of the Goods unsold at the end of the year.	Sale Value of the Goods unsold at the end of the year.
1798-9	2,746,339	5,738,671	8,485,010	3,828,495	4,656,515	8,481,815
1799-800	4,656,515	2,600,007	7,256,522	3,772,639	3,483,883	5,788,571
1800-1	3,483,883	2,572,232	6,056,115	4,191,727	1,864,388	3,726,000
1801-2	1,864,388	3,473,530	5,337,918	3,351,378	1,986,540	4,011,078
802-3	1,986,540	3,228,818	5,215,358	3,155,630	2,059,728	4,259,554
1803-4	2,059,728	3,925,961	5,985,689	3,242,822	2,742,867	4,764,344
1804-5	2,742,867	3,929,870	6,672,737	2,950,755	3,721,982	6,146,585
1805-6	3,721,982	3,816,242	7,538,224	3,340,916	4,197,308	7,600,012
1806-7	4,197,308	2,624,879	6,822,187	2,949,396	3,872,791	6,875,158
1807-8	3,872,791	3,157,965	7,030,756	2,852,316	4,178,440	7,815,305

(Errors excepted.)

Charles Cartwright,
Accountant-General.

East India House, 30th March, 1808.

Appendix, No. 12.

Martis, 2d die Maij, 1808.

EXAMINATION OF Mr. R. BROWN.

I AM a very large dealer in East India cotton goods.

Has the consumption of East India cotton goods in this country increased or decreased?—It has decreased very considerably.

Have East India cotton goods in this country increased in their price, or decreased?—Some few fabrics of mus-

lins have increased; but speaking generally of East India cotton goods, they are lower.

Do those articles in which the price has increased, bear a small or a large proportion to the East India Company's sale of piece goods? — A very small proportion.

When you say that the prices of certain articles have increased, do you mean relative to the late prices of those articles, or the average prices for some years back?—I mean relatively to the late prices.

Were those late prices higher or lower than the average prices?—I think I can state, that they were from 25 to 30 per cent. lower than the average prices of six or seven years past.

Has the present price of those articles, which you state to have increased, risen up to the average price?—I think it has: speaking generally of East India goods, the present price is considerably lower than the average of the last six or seven years.

To what do you ascribe the fall of the price of East India goods for the home consumption?—Certainly, to the interference of the British manufactures.

From your knowledge of the trade, are you enabled to state it as a fact, that the British manufactures have interfered materially with the sale of the East India cotton goods?—I am able to state it as a fact consistent with my own knowledge, that they have interfered, so much so, that our house have been under the necessity of keeping the British muslins within the last two years, to furnish the assortment for our own immediate connections.

Then your opinion is, as a person conversant with the trade, that the British manufactures have materially interfered, and are likely to continue to interfere, with the sale of the company's cotton goods for home consumption?--Certainly.

With regard to East India cotton goods for exportation, has it increased or diminished in a considerable degree?—It has diminished in a considerable degree.

To what causes do you attribute that diminution?—Principally to the want of intercourse with the continent, but in a material degree to the improvements made in the British manufacture of cotton goods, which now supplant the India for many purposes upon the continent, and particularly in the printing manufactories, in which East India cotton goods were formerly alone used.

Are you a large exporter of cotton goods?—I am, but principally of India: our exportation has very considerably diminished within these few years.

Do you ascribe the diminished sale of the East India cotton goods, in any and what degree to the improvement of the manufactures upon the continent? — I think that the improved state of the cotton manufactures upon the continent, has not entirely prevented the exportation from this country, for when the duty on the continent was about 40 per cent. very large quantities were exported, and that it is only since the absolute prohibition has taken place, the cotton manufactures of the continent have greatly increased.

From what period do you date the absolute prohibition on the continent?—Between two and three years ago.

Do you think the interference of the British goods with the East India company's goods is likely to continue?—I think it is likely to continue with increased effect.

Examination of Sir ROBERT PEEL, Bart. a Member of the Committee;

Having been examined, said, that he was of opinion with the witness, Mr. Robert Brown, that the sale of East India cotton goods has been of late years very much interfered with in Great Britain by similar fabrics manufactured at home. He begged leave to state in addition, that though the prices of labour and the raw material are much lower in the East Indies than in this country, yet these advantages are more than counterbalanced by the following circumstances. The invention of ingenious machinery by British subjects has very much lessened and assisted human labour, and, what is perhaps of more importance, the manufacture is established in the seat of consumption, and the home trader is enabled with facility to supply the demand, and to accommodate himself to the changes that so frequently take place in fancy articles; that the British cotton goods must likewise have very much interfered with the sale of East India cotton goods on the continent of Europe, from the causes above stated, and lately these markets have been lost by the hostility of France; that he deemed it incumbent on him to state, that in consequence of the cotton manufactures on the continent of Europe being established on British improvements, he apprehends that a return of peace would not restore to the East India company their accustomed demand to that part of the globe for cotton goods.

Appendix, No. 13.

An ACCOUNT of BILLS of EXCHANGE paid by the East India Company; from 1st *March*, 1798, *to* 1st *March*, 1803.

	CHINA.			INDIA DEBT.			Indian Debt, Old Registered Debt.		
	L.	*s.*	*d.*	*L.*	*s.*	*d.*	*L.*	*s.*	*d.*
From 1st March 1798, to do. 1799	430,051	3	10	204,715	12	11	482,895	2	5
1799, to - 1800	831,826	19	1	380,032	17	3	621,744	19	3
1800, to - 1801	653,216	11	1	379,532	8	1	796,516	6	5
1801, to - 1802	475,728	16	—	640,470	16	1	475,590	6	1
1802, to - 1803	395,940	11	4	502,183	6	2	166,445	17	9
L.	2,786,764	1	4	2,106,935	—	6	2,543,192	11	11

TOTALS.

		L.	*s.*	*d.*
1798 to 1799	-	1,117,661	19	2
1799 to 1800	-	1,833,604	15	7
1800 to 1801	-	1,829,265	5	7
1801 to 1802	-	1,591,789	18	2
1802 to 1803	-	1,064,569	15	3
	L.	7,436,891	13	9

MEMORANDUM:

The total amount of Bills of Exchange paid as stated in this account, will not agree with the amount of Bills of Exchange paid, as stated in the Receipts and Payments; the amount of Bills received, drawn in favour of the company, being deducted in the latter account.

East India House, the 9th May, 1808.

(Errors Excepted.)

Chas. Cartwright.
Accountant-General.

Appendix, No. 14.

An ACCOUNT of BILLS of EXCHANGE paid by the East India Company; from 1st *March*, 1803, *to* 1st *March*, 1808.

	CHINA.			INDIA DEBT.			Indian Debt, on the register.		
	L.	*s.*	*d.*	*L.*	*s.*	*d.*	*L.*	*s.*	*d.*
1st March 1803, to do. 1804	250,626	18	10	617,156	6	1	89,996	18	7
1804, - - 1805	513,149	16	3	483,307	5	1	19,986	12	2
1805, - - 1806	442,886	18	1	600,886	6	10	16,512	12	3
1806, - - 1807	641,994	16	8	520,338	4	6	50,223	19	5
1807, - - 1808	788,252	12	6	885,559	17	3	3,167	17	4
L.	2,636,911	2	4	3,107,247	19	9	179,887	19	9

1803 to 1804	-	957,780	3	6
1804 to 1805	-	1,016,445	13	6
1805 to 1806	-	1,060,285	17	2
1806 to 1807	-	1,212,557	—	7
1807 to 1808	-	1,676,980	7	1
	L.	5,924,047	1	10

MEMORANDUM:

The total amount of Bills of Exchange paid, as stated in this account, will not agree with the amount of Bills of Exchange paid, as stated in the Receipts and Payments; the amount of Bills received, drawn in favour of the company, being deducted in the latter account.

East India House, 9th May, 1808.

(Errors excepted.)

Chas. Cartwright,
Accountant-General.

Appendix, No. 15.

In an estimate of stock at China to the end of the season, say March, 1808, made up and transmitted to China in the month of February last, a balance was calculated to remain there, of tales 2,755,505,* after provision made for the cost of the cargoes to be shipped for Europe, to arrive in England in 1808-9, for all the contingent expenses of the factory, and for a remittance to Bengal, of 600,000 tales, without estimating any Bills of Exchange to be drawn upon the Court; and the Bengal Government, per their separate finance letter to the Court of the 14th September, 1807, state their having requested the supracargoes at Canton, in a letter dated August, 1807, to receive no more cash for Bills of Exchange upon the Court, except what might be tendered by the commanders and officers of the company's ships, in part of their privilege. Under these circumstances, from an ample provision of funds on the one hand, and from the request of the Bengal government on the other, it is presumed that a debt of *L*100,000, for Bills of Exchange from China, as inserted in the account of debts and credits of the East India company, as they will stand on the 1st March, 1809, will be fully equal to the sum that may be then owing. The Court's letter to Canton of the 26th February, 1808, directs that no Bills are to be drawn on the Court, while a favourable exchange offers on the several presidencies in India.

* Value in sterling money, 918,501*l.* 13*s.* 4*d.*

East India House,
13th May, 1808.

Chas. Cartwright,
Accountant-General.

Appendix, No. 16.

ABSTRACT ACCOUNT of the sums paid in England, for Charges General, in the under-mentioned Years, under the following heads.

	1805-6.	1806-7.	1807-8.
	L.	*L.*	*L.*
Political Charges - - - - -	250,492	172,131	205,026
Commercial Charges - - - -	385,628	376,090	*471,045
Articles for which a value remains - -	51,517	63,368	58,426
Articles usually classed with Charges of Merchandize, which do not properly belong to that head	12,662	12,064	†66,931
L	700,299	623,653	801,428

(Errors Excepted.)

East India House,
30th March, 1808.

Chas. Cartwright,
Accountant-General.

* Paid for Supracargoes Commission, the greater part of two years commission, for stamps on new bonds issued, and property tax on the interest of bonds.

† This amount contains two years interest on the bank loan.

Appendix,

An ESTIMATE of the DEBTS and CREDITS of the East India *on the 1st March,* 1809.

	L.
To Balance of Cash deficient on 1st March, 1809 - -	876,700
To Bonds bearing Interest - - - - -	4,900,000
To Do. not bearing Interest - - - - -	15,517
To Bills of Exchange unpaid from China - - -	100,000
To - Do. - - - India - - -	800,000
To Customs on Goods sold and unsold - - - -	143,000
To the Bank for a Loan, on Mortgage of the Annuities that may be sold per Act of 1788 - - - - -	700,000
To - Do. - for a Loan on Bond - - - -	100,000
To - Do. - for Interest on the above Loans - -	10,667
To Freight and Demurrage - - - - -	180,000
To Supracargoes Commission on all Goods sold and unsold -	90,000
To Proprietors of Private Trade, on all Goods sold - -	—
To Almshouses at Poplar - - - - -	66,000
To what owing in the Department of the Committee of Shipping, exclusive of Exports - - - -	120,000
To what owing for Exports of former Seasons - -	40,000
To what owing to the Warehouse Contingent Fund - -	12,000
To Warrants passed the Court, unpaid - - -	40,000
To what owing for Tea returned by the Buyers, and resold -	971
To Interest on Bonds - - - -	73,000
To Dividends on Stock - - - - -	66,000
	£8,333,855
Balance in favour of the Company, in England, on the 1st March, 1809, after Payment of all the Debts in England - - - -	2,819,587
	£11,153,442

No. 17.

Company in England, exclusive of their capital stock, as they will stand

	L.
By what due from Government to the Company..............................	1,200,000
By the Amount of Goods sold, not paid for....................................	265,000
By the Honourable Board of Ordnance, for Saltpetre delivered.........	75,000
By the Value of Goods in England unsold..	8,379,000
By the Value of Ships, Sloops, and Vessels, exclusive of those stationed Abroad..	102,500
By the Value of the East India House, and Warehouses......................	*1,100,000
By what owing from sundry persons, returned from India, and in India, to be repaid in England..	31,942
	£11,153,442

* An addition is made to the Value of the East India House and Warehouses by reason of the sum of £27,600, which will be expended for buildings in the course of this year, which is included in the estimate of receipts and disbursements to the 1st March, 1809.

The estimated Value of Goods expected to be received from India and China, in the year 1809-10, is £5,271,000, to purchase which large payments have been, and will be, made in England previous to the 1st March, 1809. It is taken at the same amount as the preceding year, having no information from which a new estimate might be made.

Of the sum of £2,460,000, claimed to be due to the company by the public on the 1st March, 1808, only £1,500,000 is computed to be paid.

Appendix, No. 18.

An ACCOUNT, shewing the amount of the PAYMENTS made in England, previous to the 1st March, 1808, and the amount estimated to be paid before 1st March, 1809, on account of cargoes to arrive after the latter period.

	L.
Exports paid for on 1st March, 1808..................................	1,477,477
Impress advance for Freight on Ships to arrive after 1st March, 1809	75,000
Exports paid and estimated to be paid between 1st March, 1808, and 1st March, 1809..............................	1,994,959
	£3,547,436

East India House,
13th May, 1808.

(Errors Excepted.)
Chas. Cartwright,
Accountant-General.

Appendix,

An ESTIMATE of the DEBTS and CREDITS of the East India
1st March, 1809; together with an estimate of the value of goods expected

	L.
To Balance of Cash deficient on 1st March, 1809 . .	876,700
To Bonds bearing Interest.	4,900,000
To - Do. not bearing Interest	15,517
To Bills of Exchange unpaid from China . . .	100,000
To - Do. - - India	800,000
To Customs on Goods sold and unsold . . .	143,000
To the Bank, for a Loan on Mortgage of the Annuities that may be sold per act of 1788	700,000
To - Do. for a Loan on Bond	100,000
To - Do. for Interest on the above Loan	10,667
To Freight and Demurrage	180,000
To Supracargoes Commission on all Goods sold and unsold . .	90,000
To Almshouses at Poplar	66,000
To what owing in the Department of the Committee of Shipping, exclusive of Exports	120,000
To - Do. for Exports of former Seasons	40,000
To - Do. to the Warehouse Contingent Fund . . .	12,000
To Warrants passed the Court, unpaid	40,000
To what owing for Teas returned by the Buyers, and re-sold .	971
To Interest on Bonds	73,000
To Dividends on Stock	66,000
	8,333,855
Balance in favour, after Payment of all Debts in England . .	3,779,587
	12,113,442
To Balance . .	L9,050,587

East India House,
the 13th May, 1808.

(Errors Excepted.)
Chas. Cartwright,
Accountant-General.

No 19.

Company in England, exclusive of their Capital Stock, as they will stand to be received from India and China, in the course of the year 1809-10.

		L.
By what due from Government to the Company.		1,200,000
By the amount of goods sold, not paid for.		265,000
By the honourable Board of Ordnance, for Saltpetre delivered.		75,000
By the value of goods in England unsold.		8,379,000
By the value of ships, sloops, and vessels, exclusive of those stationed abroad.		102,500
By the value of the East India House and Warehouses.		*1,100,000
By what owing from Government for Stores and Supplies to His Majesty's Troops, on 1st March, 1808.	2,460,000	
Estimated to be received from Government.	1,500,000	960,000
By what owing from sundry persons returned from India, and in India, to be repaid in England.		31,942
		12,113,442

Balance in favour as per contra.	3,779,587
Add, The estimated value of goods expected to be received from India and China, in the year 1809-10.	†5,271,000
	£9,050,287

* An Addition is made to the value of the East India House and Warehouses by reason of the sum of 27,600l. which will be expended for Buildings in the course of this year, which is included in the estimate of receipts and disbursements to the 1st March, 1809.

† The goods expected to arrive in 1809-10 are taken at the same amount as the preceding year, having no information from which a new estimate might be made; the net produce of which, after the payment of all duties, &c. in England, will be 3,660,360, and the amount of payments made in England, and estimated to be made to 1st March, 1809, for cargoes to arrive in England after that period, is 3,547,436*l*.

Appendix, No. 20,

Jovis, 19° die Maij, 1808.

EXAMINATION of SAMUEL PEPYS COCKERELL, Esq.

You are Surveyor of the East India Company?—I am.

Have you surveyed the East India House and the Warehouses for the purpose of affixing a value on them?—I have not critically surveyed the whole of them, but I have a general knowledge of them, and have the plans and dimensions of each.

At the end of last year you put a value of 1,072,400l. upon the East India House, the Warehouses, and other Buildings belonging to the East India Company; how came you to affix that value?—In the year 1807 I followed the valuation that had been made by Mr. Holland, my predecessor in the Company's service, adding to it the sums that had been laid out in purchases and new buildings in the current year. I have since compared that value with the Company's warehouses and other buildings in different parts, and find it so near to my own judgment of it, that I again took the same rule in the year 1808, upon which the return of 1,072,400l. was made.

Supposing that you were placed between two parties, to say what one should pay, and the other receive, as the value of the buildings in question, what would be the sum that you would place it at?—The sum I have mentioned in my return.

MISCELLANEOUS TRACTS.

SOME PARTICULARS *of the* SECRET HISTORY *of* TANJORE,* *the* CARNATIC, *and the Presidency of* FORT ST. GEORGE, *from a* DIARY *kept by a distinguished Resident at the Court of the* RAJAH.

January 7th, 1782.

LEFT Trichinopoly about four in the morning. For the first two hours the way was through water. About four miles before we reached the Anicut,† I was met by the head people of the country. I stopped a moment to receive and pay compliments to them,—staid an hour at the Anicut, which Hyder broke down in two places, so that the bed of the river was perfectly empty, and we made our journey through it, as the high road.

The villages, through which we passed, were all literally burnt,—the people fled,—and the land untilled. About six miles beyond the Anicut, I found, at last, a temporary Pandal‡ raised for my reception. The headmen renewed their civilities, and brought us milk and fruit, and sheep and fowls. We made a pleasant repast. A lady being of the party, a little chamber was at once separated off for her dressing.

The country, over which we travelled, after dinner, was, if possible, more miserable than the spectacle we beheld in the morning, and this continued almost to the walls of Tanjore.

For the last hour or two the road led pleasantly through a noble avenue of Banyan trees. This kind of avenue, at once most pleasant

* The English reader may, perchance, be amused by the daily notes and lucubrations of the writer of this original and curious production, though the events mentioned in it may neither have novelty nor interest enough about them to please or recommend themselves to another description of readers. The intrigues of an Eastern Durbar, at this early period of Anglo-Asiatic intercourse appear, like the tribes or casts of India, to have partaken of a common family-feature; so that in the general uniformity little curiosity is excited towards any individual or single occurrence,—" All like one another as halfpence are; every one fault seeming monstrous, till its fellow fault came to match it." SHAKESPEARE.

† Anicut, or rather Anacut, is a dam to stop or divert a stream from its course, for the purpose of irrigation. This particular, and noble effort of art, was made at an incalculable expense. It is a stupendous work of masonry, on which the labour of thousands was exhausted for years. It serves to turn a branch of the Coleroon, a wide and rapid river, from its natural bed, by a forced channel, into the Tanjore country. Three lacs of pagodas, or 120,000l. sterling, were expended in repairing the injuries here described.

‡ A shed or building for occasional use, constructed of perishable materials, hastily and rudely put together. It is generally made with a few bamboos, and dry branches of the cocoa-nut or Palmira tree.

sant and useful to the traveller, as well as magnificent in itself, seems to be of the good practices of this southern part of the country: for we found it in the kingdom of Travancore, and whenever we could keep the high road we saw at least the intention throughout our whole journey to this place.

Just before sunset we passed the little river near Tanjore, where I was met by the principal personages from the palace. I alighted—their compliments were:

"The rajah is in affliction for the distress and ruin of his country: he is in sorrow and grief for the loss of his daughter; you are come to his country, his tears are dried, and his heart is full of joy." I returned to my dooley, and they accompanied me to a house, destined for me.

It is in truth a strange place! When I got into it, the congratulations were renewed; the floor was spread with fruits, and a vast flood of compliments flowed from them. "I am not to complain of the bad house I am put into, for it was thought for certain that general M— — would have left this before my arrival, and the rajah had destined his house, the best in the place, for me."

As soon as my palace complimentors were retired, I was going to the general, when I received a messenger from him, whose first word to me was, in enquiry after the uncle and nephew, Richard. I almost accepted this superstitiously as a good omen. He brought me an invitation from the general, whom I immediately waited upon. Nothing could be more obliging than his reception of me. I attended him to Colonel B——'s, where we were all to sup.

Wednesday, January 8th.—We had left Trichinopoly a day sooner than we intended at the request of the general, through me, for the party to dine with him to-day, which was to be his last delay here. I breakfasted, by appointment, with him, and had a long and intimate conversation with him of real confidence. I was already fully apprised of his very disinterested friendship to the rajah. He ran through it fairly without exaggeration. In three instances he had, indeed, served him essentially.

With all the goodness of the general towards the rajah, the reports that disparage that poor man, are not without their weight with him. I suppose they are so incessantly dinned into his ears, that in spite of his good-nature, and the folly of the stories, the repetition of them forces them into a degree of credit. Even with the destruction of the Anicut, and the devastation of his country, there are reports of Hyder's having come by his advice, and of his sending to the Mahrattas. Indeed the same things are said of the nabob.

* I had, too, a free communication with Colonel B— — who has, as far as I can judge now, been a pretty uniform friend to the rajah; though lately their intercourse has met, if not an actual interruption, yet something of the sort. He was employed, it seems, in the second siege in 1773. I do not learn whether any application to him, from the rajah, had drawn his attention. It suffices for the history, that he engaged Mr. V.

* I judged very hastily from the colonel's own story.—Note to the DIARY.

(I think

(I think that is the name) to join him in a strong remonstrance to general S—— against surrendering the place to the *Ameer*,* who was then come to the army. These two officers so worked upon their general's apprehensions of the ill consequences to himself, that might attend the giving up such a place to the disposal of the nabob, that general S—— expressed at length his assent and coincidence in their opinions. He positively promised them that no step should be taken but with their concurrence, and that B—— should certainly have orders to take possession of the place for the company. To his infinite surprise, however, he received before day-light a peremptory command to give up his post to the Ameer, and next day he was ordered with his party to a separate command. Soon after this B—— got leave of absence and went to Madras.

The government at this time, was much under the guidance or fear of B—f—d and I——n. The former alarmed the governor on the danger of the measure he had adopted, in invading Tanjore, and convinced him that the surrender of it to the nabob would not be approved at home.

I do not learn the principle on which B—f—d was at this time adverse to the nabob. But he strenuously dissuaded the measure of giving up Tanjore to him. Mr. M——— however, (a gentleman now in high office) was all-powerful at the Durbar, and the nabob actually was induced to make a formal grant of the independent possession of the late conquest to the Ameer.

This added to the governor's apprehension, and if he could have persuaded the nabob to have surrendered it, he would now have been glad to have put the company's troops into possession of Tanjore. He was not persuasive enough to incline the nabob to surrender his prey. Means, however, were found to alarm the nabob's jealousy of his darling Ameer, at the very moment when his fondness had reached its achme.

In spite of the apprehensions that seem to have disturbed the presidency, the Ameer set out to take possession of his new grant of an independent kingdom; M——— accompanying it with a "Let me see, who will dare to stop you going, by your father's orders, through your father's independent territory?" Whatever threats or surmises at the presidency might have driven M——— to his "who dare!" it seems to have had its effect; for the presidency did not presume to impede the Ameer's journey. But his father's jealousy was awake, and gave that check, which the presidency did not venture upon, to this young man's ambition. On his road to his new kingdom he was overtaken by a positive order from his father, that he should not presume to enter into actual possession, title, rank, pre-eminence: all that kind of indulgence that pride finds in a title, was continued; but he was by no means to set his foot within the walls of his promised capital. On his arrival there he found his father's orders, to the commanding officer at Tanjore, had outran him. In consequence of which he was obliged to live without the walls, all the time he staid in the country. In all

* The *second* son of Mahomed Ally, or Wallahjah, nabob of Arcot.

all other respects he acted as a sovereign.

I understand from Padre S—— that he affected the utmost esteem and veneration for the Pagodas, and every thing that related to Pagan worship. Poor S—— was shocked at something like zeal that he shewed in favour of the Gentoo rites.

When the party at the presidency found they could not persuade the nabob to yield up his own pretensions, they betook themselves to defeat the views of the Ameer, by representing the danger of placing the Fort in his hands. They hoped, it would not be difficult, at a more fortunate juncture, to take it, either by stratagem or force, from the nabob himself.

Whatever may be the motives of a change in B---f---d's conduct, he joined W—— and I—— and others in a bond of indemnification to col. B—— in case he should lose his commission; and, at all events, he was to have his pay and batta* during his absence.

Upon these terms he was sent off for Europe, to controvert, at the board of directors, the justice, propriety, &c. &c. of the conquest of Tanjore.

R——s was in the chair: the col. was summoned to attend the board. The secretary, upon his obeying the summons, came out to him from the board, to know his business. He came by order, and waited their pleasure, but they understood that he had something to lay before them. If he meant so to do, he should have applied for an audience. Some time passed in discussion, whether he should be appellant or respondent. At length, however, he was called in to the committee of correspondence. The chairman said they understood that he had something to communicate, and the like discussion was renewed in the cabinet, that had been recently maintained without doors. He was steady---and the chairman at length was obliged to commence with observing, that he understood there was a foolish matter of dispute at the presidency of Madras, relative to the propriety of taking Tanjore. The col. took up the word *foolish*, and began to descant on the seriousness of the business. M——p and others seemed inclined to a close examination, and to bring out all the col. wished to say; when it grew late, and the chairman dismissed the sitting to some other time. He heard no more of the directors.

L—— S—— had been the colonel's old friend.---He sent for the colonel; with a deal of shrug and grimace he told him, "My dear friend, you know I have a regard for you, I'll speak freely: we are alone; "You are all in the wrong box!" I am out of affairs, and have no concern in the matter, I speak only for your own interest. By G---, you are in the wrong box,

* This precedent seems to have been acted upon in times nearer our own; when the secretary of government, and other official characters, appear to have been dispatched from Madras to England, for the purpose of explanation; and though the ordinary cares of their offices have ceased, they still perform the most troublesome duties of attending, at the proper intervals and places, to receive the periodical payments of their salaries. Enough has been said in other places, of the inconvenience of *double* governments, but as yet we have heard but little, abroad or at home, of the burthen of *double* payments. Shall we talk of the poverty of the E. I. Company?

my

my friend. I am so out of things, that people are not afraid to speak their minds to me, and I can tell you, as a friend, that they are resolved to support the nabob at all events. You kick against the Pricks, and will do yourself no good in this business. By G---, it is time you should think of your own interests, and not run your head against the wall for other people. Your friend R—–—d dines here to-day; stay here, and we'll talk it all over and see what can be done for you, which is more to the purpose, than a wild goose chase about rajahs and nabobs." The colonel would not be of the dining party, and so that negotiation ended. He had some access to lord N— and thinks that R—s—n was much inclined to take up the rajah.

M—– —n was come home, and Lord N— would not (as he says) see him. His story is, that ministers were embarrassed in the Bengal disputes; where C—–—g and M——n had threatened to resign, unless Hastings was removed. And Hastings having the interior support, made that impossible. They were at a loss what to do, when M——n, as the colonel has it, wrote to Lord N——, begging one moment's interview, and undertaking that in three minutes he would convince his lordship that it was in his power to settle the Bengal disputes. His plan was the *resignation* of Hasting, which all the world has heard of and stared at. From that moment the colonel says, the tone was changed with Lord N—— and R— —, his endeavours were all in vain; so he recovered promotion, and returned, re infectâ, to India.

I, and the whole travelling party, dined with the general. In the morning's conference he had expatiated at large upon the public distress. He told me, that in a moment, when he could not otherwise have proceeded, he had drawn on the presidency for 12,000 pagodas, (4,800l.) promising, very solemnly, that if that bill was honoured he would, though he sold his army for it, replace it. That this bill had been drawn in the very teeth of Lord M— —n, who, in answer to all his urgent calls for money, had coolly told him, "you have an army in the country, that is the richest in grain and treasure of all the East, and you must provide yourself with pay and provision for your army."

That, nevertheless, he had not, though thus invited, called on the country either for provision or money, and that, for himself, he had never touched the rajah's gold. And yet, though he had told the rajah that he considered this 12,000 pagodas a pawn upon his honour, the R. would not advance a penny, though he was sure, &c. &c. &c. that he had got in his whole share of the last crop, and was in no difficulty. I did not so fully give credit to the rajah's having no actual distress upon him as the general did; but I saw that there would be people enough cooly to catch hold of his idea, which the general perhaps uttered not without passion. I felt that the opinion would hurt the rajah. I felt too, that the rajah owed something to the general. I perceived plainly that the latter wished to gain my weight with the rajah to get this money for him. First, and principally, I wished to oblige the general: Next, I knew, from the mutiny I had two days before seen at Trichinopoly, and what I heard of the disposition, from distress, of the army here, that the advice of warm and sanguine, if not *sanguinary,*

nary, counsellors, that there might possibly be a seizure of the rajah's grain, and, with the grain, the general's friendship would be lost; when once he should be induced to be the ravager of the country: so that I wished these 12,000, pagodas could be had. But the rajah had peremptorily refused the general, even after threats. I felt that if by my advice, money could be had from the rajah for the company, it would be conclusive to the dirty mouths that would be belching out abuse against me, as one who was to make the rajah refractory. If I did succeed in this, it was making myself a sort of shield to fight under, on future occasions, against unreasonable demands: but I saw, too, that if the professions I had got from the palace, (of their considering myself their only friend, and what not) were sincere, they might be founded solely on the idea, that I was to save them from all payment; and of course that I might sap the very ground under me, if I opened my negotiation with a persuasion to pay money that the rajah had actually refused. What was to be done?—The General had taken a good deal of time to tell me his griefs, so that it had not been necessary for me much to interrupt my own thoughts by talking, and I had found time to decide against little fears, and resolved to take a line that a little tried my weight at the palace, which might, perhaps, serve me there on account of its singularity, and which, if I succeeded in it, established a sort of character of temper, and moderation, and such stuff!

I offered my service to the general, by no means promising success, and shewing that it might ruin me with the rajah, &c. &c.

January 10th.—The next day, having obtained a private audience, I laid the General's request before the rajah, with apologies, that I thought fitted my situation. The old story of distress (too well founded) was told to me, as it had been to the General; and "I cannot" was the decision.

I have never seen that you persuade any man by the fair and straight road, it is always some collateral line that leads to the heart! I agreed totally with the Rajah, that, in his distress, it was unreasonable to expect money, and that he did right not to give it.

The Rajah smiled.

Rajah—"why do you come to advise it?"

W. B.—"Permit me, Sir, to ask you, has this man received any present from you?"

The Rajah---was fair, and in a hurry to do the general justice.

W. B.---"Pray, Sir, do you ever let any great man go away without a present, to engage his good will and friendship?"

The Rajah made a little speech to justify what he had done, on such occasions, as from necessity.

W. B.---"Is 12,000 Pagodas too much for a man of the General's rank to expect on going home?

Rajah---"no it was not. And if the general wanted money,—somehow, but he did not know how,—it must be found for him."

I then told him that was just my notion of the affair. This was a great man,---he was going to Madras,—and thence to Europe; and the Rajah must know the value of his good word in both places. That it would cost him 12,000 pagodas, but that he was to have credit for the bribe in his account with the company. He was not displeased. We had no controversy; and when supper

supper was half over at the general's, I was a welcome guest to him and all his table. I was told a deal of fine things, of how happy it was that such a man had weight, &c. &c. &c.

I don't tell you that I thought it necessary to tell my friends the principle I argued upon to get what they wanted. They *had* it, and that was enough. The money was paid in two days. I think the general will talk big upon it at Madras. Perhaps my friends at home will make some use of it.

When I came home at night, I found the officer waiting from the rajah, to know when I should be waited upon with the present;—that is always the consequence of an English gentleman's visit. The present, value about 30l. was not worth refusing: but I felt that a *groat* benefit* was abominable, from a professed intention to serve the general. The discussion between the rajah and me, by messengers, almost took up the night. He imagined I refused it, because he had not himself put on the collar,† but he explained that he was in a state of what he called impurity, from the death of his daughter, and that he could not touch nor approach me well. He insisted on their customs, I, on our proprieties: I valued myself that I had secured a friend to him, without a bribe, and that was a noble present to me. At the same time I took great care that he should not imagine that I had any general objections to presents.

14th January.—The general left us two days after, and I, with several others, accompanied him to ———.

We returned at night, and now I set about calling for the payment of bills I had drawn from England. I heard of distress, but I did not seem to hear of any difficulty about my salary; but the illness of *Butchanah*‡ kept all things in suspense

My house is utterly uninhabitable, having, indeed, but one room in it for C— and myself. They had put up a bed for me, but he slept on a couch.

They had meant the general's house for me, and I was highly pleased; but at the first night's supper I found, that my having it would necessitate a quarrel. It was, indeed, a place which the rajah had lent to a quondam paymaster, but said paymaster had rebuilt a great part of it, and his executors insisted on payment of his disbursements, before they would surrender it. Before I went to bed, I decided against having any thing to do with that house. In the morning I acquainted the rajah with my decision, but desired the remainder of the house I was in, which was inhabited by Manajee's family. I got possession in four days, and I am full of carpenters and bricklayers.

19th.—God be praised! God be praised! I once more see the letters of my dear friends. Ah me! what a date! But, thank God! I know they were all well later than these letters carry. The receipt of them overpowered me. I know not what variety of terrors filled my soul

* Oh this delicacy, this delicacy! Let us pray that it may not forsake him in his slippery walk!

† The present on these occasions, is generally a splendid dress and a string of flowers which is placed round the neck. It is mentioned here as a collar.

‡The prime Minister.

soul at the sight of their writing! I never wept more bitterly in my life, and yet I cannot say I felt apprehensions for their health or peace; but such a variety of thoughts burst upon me, I could not stand it. I read without understanding; again and again I read; but my ever dear Richard's story of patience brought me to myself. Oh, my God, give to me the occasion of that virtue! The memory and thought of those I love will oblige me to endure and bear all things.

20th January.—M——— and all the world, warn me of the perfidy and treachery of our palace.

Hitherto they are civil, and full, perhaps too full, of professions; but nothing decisive or distinct has at all passed, even of my services. It seems rather a general notion that I have been useful, than any distinct sense of the particular benefit they have received from me.

Butchanah's state of health leaves indeed all things at a stand, but I don't entertain any great expectation of the style of compensation he may think suited to my services. In this state I do not resist the sort of amusement brick and mortar offers.

I have pulled down twenty walls, and opened as many windows, and in the end, if the rajah does not grow weary, I shall have an excellent habitation.

I was desired to give in a list of the furniture I should want. Having done so, they sent me 500 pagodas to furnish myself. It will hardly buy plate.

23th.—Returning to-day from dining with Paymaster T———r, I met the news of Butchanah's death. I made my palanquin go by Mr. S———'s. I found him more on the high horse than ever I had seen him. "He had no instructions! He must act for the best on his own judgment! A wrong man must not be suffered to be minister!" I represented, that he, and I, and every one, would wish a right choice; but that it was a choice of the rajah's own. He said, he could assure me, that the Madras politicians were to appoint a minister. I said, Madras politics might be as mad as they pleased, but they transgressed if they attempted a violence on the internal government; and, though I wished to go quietly on, this was just the point in which I would avow advising the rajah. He softened his tone, and I relaxed mine, and readily admitted, that he could only mean to act by advice, or counsel.

When I came home I wrote a line to the rajah, lamenting his loss, advising a speedy nomination of the successor; praying God to direct his choice; but that I would, at all events, defend the choice he should make.

He sent me word at once, that mine was a manner no one had dealt with him in, that he was highly sensible of my goodness, and in confidence told me, that Gopaul Row, nephew to the former, was his choice. Gopaul Row, the next day, sent his thanks, &c. &c. &c.

Gopaul Row's ceremony on Butchanah's death, will take up twelve days. The ship will leave Madras next month.

25th.—I got a letter from the presidency, in answer to mine from Anjanga. It is, what it ought to be, —one from L. M. as cold as charity; at the same time a precaution through S—t—n by R. that my zeal must not oppose his administration, which is to be what not. In his own

own he talks to me of his integrity. All these things call for temper. I thank God, my mind is pretty well composed. My answer to L. M. must not be hot, neither must it imply that I am subjugated by his unmanly unkindness. Day and night I am pressing the English soucar bills and make no progress.

At length the rajah seems to say he will manage it, but nothing passes that has the look of bottom or foundation. Yet the repairs of my house, and a wonderful fine palanquin, make men tell me, that no European ever was so received. He has offered me a horse but I declined it, till my business was settled about the Europe bills.*

I have, however,† taken 500 pagodas for my living; I receive it as the month's batta, detached from my salary, 20,000 pagodas annually. I am told, sometimes, that they agree to the salary, and only want time to pay it. I only press for so much as will pay the bills, and gladly give time for the remainder,—then all is off, and runs in generals. This, perhaps, is in the nature of negotiation, especially with them. Sometimes I do not sleep, but I must not think too much, nor be driven mad. God forgive me!

The success at Tellicherry gave me the occasion to write to L. M. I have said more than I meant to say; less than I ought as a man; but, perhaps, too much for a man in my situation. Why I should be surprised at L. M. I cannot tell, for I never knew any good of the man; but it has wounded me. If I write home—why *if?* I *must* write, I will send copies of several papers, that shall make out a short history.

S— — —n has been jockeyed by his brother, and betrayed by his friend H— —. But he shews no discontent. He is, however, a prosperous man and rich, and possibly his double station here, is better than his intended one at the Nizam's court.

I have seen the rajah but once since I went to him on the general's business. Our conversation was loose. He seemed desirous that I should know the real state of his affairs. But Butchanah's illness at first, and his subsequent death, are pleas for Gopaul Row's doing nothing as yet. They have, however, sent me two letters from L. M.

The one on the presents is the very worst I ever read. The other is in Mahratta, and has no English translation with it. I picked up the sense of it from my dubash, who I made give me, as well as he could, an English for every Mahratta word. I am inclined to think, that the English translation, or rather original, was omitted, to make it difficult for me to be consulted. The council I gave seems to please hugely, but it does not forward my business. I thought I had settled my batta, i. e. House expenses, at 500 pagodas per month, and 100 for C.

February 1st.—Every day expecting to be called, I was sure of seeing the rajah to-night; and got a present of fruit, which comes often, and an excuse which comes often too.

February 2nd.—To day I find the salary in a bad state indeed. An offer of batta of 100 pagodas per mensem

* From another part of the diary, it appears that the bills in question were drawn by the writer in London, in favour of a banking house.

† Considering the great modesty and moderation of the writer, and that this is as it were but his noviciate in eastern Durbars, the English reader may think that he has fared not very indifferently in the space of three weeks. Let us see,—five hundred pagodas for furniture, 500 more for his batta, a wonderful fine palanquin, a proffered horse; and, to use his own terse and expressive style, a number of, &c. &c. &c.

mensem, and no one word of C——. All hopes of my bills—1000, or 2000 advance on account of salary—all, all unrealised! this is the first act of Gopaul Row's. And at this very moment, they send me the honour of a guard at my door: as to C——, they take no notice of him at all.

In this state what is it possible for me to say to those I love, and what must they think of me? They will not surely think vilely? The style of dealing here is calculated to make a man run mad: but a man must not run mad. They talk of patience, and it is needful; but passion too has its force, and a natural agitation—downright violence and threat* ad absurdum, are a machine too.

3. They submit to C——'s salary 100 St. Pagodas. They had put it 50 porto novos. My batta they let go to 200. And they talk of 1000, or 2000, on account of my salary. I am fierce—the dubash is frightened, and I suspect they will be so too.

4. Though they came up to C——'s 100 St. Pagodas they dispute the time of the commencement of salary.

5. I shew that we had a right to many months salary before our arrival; and I am peremptory not to accept the 500 porto novos, I got a few days after my arrival, as any thing, but the house expense, or Batta of January.

6. The dubash is urgent that I should accept of 400 porto novos per month; and C——'s 100 stars are agreed to, and I have surrendered.

7.—But I do not get them, as I expected, to-day. Mr. B——, a lieutenant, is to be buried, and I attend the ceremony.---I am told the Rajah will send for me to-night and I am told so often.

An affecting incident occurred at the funeral.---When the ceremony was over, my curiosity led me, and, in no high spirits, to view the three or four scattered tombstones. The first I attended to expressed that it was in memory of two infants, a brother and sister: the simplicity of the information had attracted my attention, when our commandant, major A——, tapped me on the shoulder, saying---"These were my children!" and burst into tears. He is a man of no affectation, and he got some way into my heart.

8. On coming home, I had a message from the Rajah to attend him. It was past nine before he received us. He was visibly not well, and made that his apology for not having had more communication with me; however he was willing to go a little into business.

I began with saying, that it was at all times awkward and a distasteful thing to speak of one's self; and I hoped his, &c. &c. would make it needless for me ever to press him on that head. Both he and his minister seemed glad to take me at my word; and ran into a gibberish of distress and I know not what.

I told them, I feared we were going into too wide a field for business.

They were ready enough to come back.

I had imagined that they had made two payments of the deposit, it is but one. I had considered that Lord M. had written a private as well as public letter on the presents.

They paid no attention to the business

* This game at *Brag* seems to have succeeded.

ness of the presents,---in truth no company's servant means to press it.

On this I told them the money loss was not to be the principle of their complaint. It was the disrespect shewn to his servant the Vakeel. I thought he had been actually imprisoned---it seems Sir T------ only threatened him.

They felt a propriety of taking up this matter, and in terms of the highest respect left their answer entirely to my discretion.

They seemed to give as little attention to the other letter, calling for assistance without limit, and stimulating the Rajah not to be out-done by any other.---It is an opening for an express assignment of his country, as the nabob has done—though the nabob is not mentioned.

They don't see the design; and before it is brought to a head, by an express exaction of such and such a consession, it will tally with their politics to deal in generalities, and, meaning nothing, to amuse themselves with the whim, that the other party too have no meaning.

As far as surrendering to me the total trouble of correspondence, they are very sincere in their proposition of writing, just to a tittle, whatever I please.

Having first established my idea of what became his dignity, and answered his interest as to the present, I pressed, and they seemed to understand, that as to the question of assisting the company, they should, in a conversation with the resident, speak highly; and value themselves on having endeavoured, on the first rumour of war, to prevent the company's distress by an *advance*, but which had been strangely called a deposit. I warned them to use the term *advance!* This I again and again advised them to press home.

Next they should demand an allowance for the repairs of the Anacutt.

They were afraid of a proposal from the company to offer to repair.

I explained, that the repair must not be allowed to be done by the English, he must do it, and call for an abatement for the expense of it. Afterwards he must demand an account of their disbursement.

They were afraid.

I told them to be strong as iron; but to gild their iron with as many fine words (and they have plenty) as they pleased.

I understand they were vastly pleased; it may be from other reasons, than an impression of the sense of any thing I had said.

I am not sure that they did not expect I should quarrel at this interview—I am not sure, that it would not have been wise to have done so; but I valued myself that all consideration of myself would come more honourably for us both from the Rajah.

The very hour before I went to the palace, I had learnt that they wanted to reduce my salary 5000 Pagodas, and certainly they will attempt a reduction. It was near eleven before we parted. I was in bed, when my dubash brought my 400 pagodas, the month's batta. It was sealed, and not *shroffed*:* but they did not think it fitting to delay it.

(With this curious visit, the EDITOR *will close his present extracts.)*

* Examined by the money-changers.

CURIOUS STATE PAPER.

Narrative of the accession of the Sultan Mustapha, to the throne of Constantinople.

Certain imprudent ministers of the sublime Porte, with the wicked intention of arrogating to themselves power and riches, had been the authors of certain constitutions, invented some time since, under the denomination of *Nizam Gedid*, (new constitution) which was a means by which to advance their particular interests, and to debase the respectable body of the men of law, of other servants of the empire, and of all the military corps; harassing, by these means, all the inhabitants of the Ottoman territories. By innumerable tyrannies, thy had alienated the hearts, and irritated the minds of all, to a degree, that all ranks of people, great and small, rich and poor, groaned under the general ruin. The *ci-devant* Reis Effendi, Mahmout, who had been appointed inspector of the batteries constructed upon the canal of the Black Sea, for protection against the hostile attacks of the Russian fleet, exercised unheard of violence and cruelties towards the garrison of the fortresses; and the better to succeed in his intriguing projects, he endeavoured to spread discord between Hallil Aga, the commandant of the Castle of Cavak, and the garrison; these last were so much offended and exasperated at his infamous conduct, that they seized his person and massacred him, as well as the before-mentioned commandant, Hallil Aga, on the 17th day of the moon Rebiulevvel, (25th of May.) Not being able to moderate the fire of their zeal, they advanced in a body on the 20th of the same moon (28th May) towards Top-hava, the arsenal and barracks of the artillery, and from thence to Aga Kapouson, the Hotel of the Janissary Aga, and the place called Etmidan, to proclaim the tyrannies exercised by the ministers and favourites of the sovereign; and to demand the punishment of these culprits.—The public, in deep affliction at these proceedings, observed them in silence.

The same day Kiahaja bey Memick Effendi, Reis safi Effendi, superintendant of the mint, Beker Effendi, the Costangi Bachi Chakirbey, were beheaded at the Porte, at the demand of the troops, and their heads were sent to the said place.—The ci-devant Kiahaja Bey Ibrahim Nissim Effendi had concealed himself at the house of a Christian, in the quarter called Jeni Capon, but was discovered and conducted to Etmidan, where he was torn to pieces. The next day Friday, the same troop presented itself before the Sublime Porte, where were assembled all the men of the law: the principal object of this assembly tending to a deposition and an inauguration, the people hastened in crowds to the seraglio; in the mean time, Mabeinig Ahmet Bey was found before the door of the seraglio, called Soruk Chefme, by the troops, who cut him to pieces. They then presented themselves before the Imperial seraglio, where the most powerful, most glorious, most generous emperor Sultan Mustapha Han, son of the Sultan Abdulhammid, whose greatness be eter-

* This official document, certainly of some singularity, was sent to the different Asiatic Courts, on the last revolution in Turkey.—The mind is at a loss which most to admire in this precious morsel of diplomatic communication, whether the power and insolence of the Jannisaries, the submissive weakness of the sovereign, or the utter contempt, exhibited in it, of public opinion and report.

The

nal, mounted the Ottoman throne. The Minister of Marine, Hagi Ibrahim Effendi, and the secretary of the grand seignor Ahmet Effendi, did not succeed in making their escape, but with a similar fate to the others; with respect to Capan Naibi (Magistrate of provisions) they contented themselves by banishing him to Brousse. Raghib Pacha, who had been invested with the dignity of Pacha of Caramania, a short time before, was deposed and banished to Keitaja, on account of the many dissensions which took place in his department, occasioned by his incapacity. The troops of the *Nizam Gedid*; as also the treasury of the *Irad Gedid*, (new endowments) are entirely abolished as contrary to the constitution of the Ottoman empire. Orders have been dispatched to all parts to announce the abolition of the Nizam Gedid. The inspection of the admiralty, replaced on the ancient footing, has been confided to Mustapha Rachid Effendi, who has been invested with the caftan, (robe of honour). During all these events, not only no individual has been molested, either in his person or his goods, but also not a single person of the before-mentioned troops has cast a look of ill upon any person whatsoever.

After all this had passed, the troops returned to their obedience and subordination, they promised, under the guarantee of their chiefs, to fulfil their duty as before, even at the risk of their lives. His Highness on his side, has had the generosity to engage his imperial word, through Maib Effendi, (man of the law), and Seid Hallet the present Reis Effendi, who presented themselves at the door of the Janissary Aga, to promise him in his name, that the same troops, either generally or individually, should not be responsible, nor sought after on account of any thing that had passed; that the constitutions of the Empire should be established upon the same footing as in the time of former grand Seignors, of whom God enlightens the manes, that the regulations of the corps of Janissaries of the Empire of the Sipou Solhidars, of the four regiments Gebigis, Topgis, Arabgis, and Cumbaragis, all of the ancient constitution, should be established in full force; and that all the institutions of the Empire in general should be on the ancient footing. By these means those who had to complain of the Nizam Gedid were satisfied. This event concluded with facility, and no person sustained any damage. The proclamation of his highness, in regard to the powers of his friends, is to maintain the same amity with them that has always existed to the present time, and to display all possible energy, against his enemies, in order to frustrate their hostile plans. The constitutions of the Ottoman Empire, having returned to their primitive dispositions, thanks to the most high, order and tranquillity are restored. In order officially to communicate to the courts in amity with the Sublime Porte, this accession to the throne of the most gracious sovereign, to make known to them the manner in which this event came to pass, to assure them that the Sublime Porte, will never swerve from the voice of justice and amity, which she has constantly pursued; that she will preserve the same friendly sentiments, that she will remain firm and constant in her attachment to good harmony—it is to this effect that the present official declaration has been addressed and forwarded to the Charge d' Affaires of his Majesty the King of ———, given this thirteenth Rebi, ulaher 1222. 13th June 1807.

LETTERS

LETTERS OF NADIR SHAH.

Brigadier-General Malcolm, who presented the translation of the following authentic papers to the president of the Asiatic society, gives a succinct account, in a prefatory letter, of the time and supposed circumstances under which they were written.

The date of the first letter, addressed to Mohammed Ali Khan, Beglerberg of Fars, is conjectured, by reference to an acknowledged historical fact, to have been about the commencement of the year 1731, a few months previous to the dethronement of Shah Tahmas. A proclamation, known to have been published at the period, appears to have been issued by Nadir Shah, to the inhabitants of Persia, in which the principal topics, hinted at in this private letter, are declared and represented to the people at large. This extraordinary state paper, describes the peace immediately procured, as the most shameful and scandalous: announces the Shah's intention of proceeding with his victorious army, in the month of March of that year, against the Turks, to compel them to renounce the terms of the convention in their favor, recently concluded with Persia, and threatens to destroy all those who should throw any impediment in the way of his design. Though the proclamation does not fix the precise date of the paper under consideration, it may be fairly inferred from it, that the letter must have been written previous to the month of March, when the Shah's intentions, communicated and developed in the proclamation, were to be put in execution.

A conjecture may be hazarded, that this paper was the forerunner of that manifesto to the inhabitants of Persia, bearing, as it does, the signs of a confidential communication to one of the Shah's most powerful friends, with a view to sound the Governor of Persia Proper on the political subjects insinuated or glanced at in the letter. He complains, as it seems, to his correspondent, that, in the midst of his (the Shah's) victories an ignominious peace had been sought, in which even the most natural provision had been neglected, the release of the members of the sect of Ali from the Turkish prisons. He mentions that he had had a conference with the Persian Minister, at which he told him that the terms of the Convention ought not to be ratified or observed by the court, as they must have been concluded under compulsion; and finally conjures the governor to hasten to Isfahan, to enforce the Shah's representations, by his own remonstrances, and to convince the king that the nobles and the commonalty alike reprobated the late inglorious measure of the government. It may be presumed that the Begleberg, in compliance with his friend's solicitations, visited the Persian capital, and promoted the policy of the Shah. This would naturally pave the way for the proclamation, which is supposed to have followed.

General Malcolm conceives that Nadir Shah never exhibited more consummate art and policy, than at the date of this proclamation. But it would seem, at this moment, that he had completely thrown off the mask, and thought all dissimulation unnecessary

unnecessary. He does not whisper, as in the letter just noticed, the secret conceits of his heart, in a confidential ear, but boldly denounces, and in tone clear and loud, the acts of the sovereign, in the streets and the market-place of Persia. He usurps the whole military power, and threatens war and desolation at his will. If, like other usurpers, he call religious bigotry to his aid, it is not as a principal but an auxiliary; as an instrument always at hand, and available by every adventurer. He who seizes, without fear, the sword of the state, and ventures to upbraid the throne itself, can have little, it is presumed, to apprehend from the feeble anathema of the priesthood; though his prudence might be called in question, if he had declined to advantage himself of so obvious and so ready a means of promoting his usurpation.

The SECOND LETTER bears internal marks of its having been written in the month of February, 1738, after the arrival of Nadir Shah at Delhi. It explains the causes that are stated to have induced the invasion of Hindustan, and gives a brief relation of general military operations, and a more particular account of the defeat of the emperor of India, in the battle of Karnal. The style of the original letter is described, by General Malcolm, as perspicuous and energetic, and recommended as a model of Persian composition. The general's opinion, on a point of Asiatic literature, may be taken on trust. That he also has been fortunate enough to combine, with oriental learning, the felicity of taste, will require no other testimony than the following apology for the Persian conqueror, which he places, with equal eloquence and address, in the mouth of the future historian.

" If such an author were to write the history of *Nadir Shah*, he would probably see something more than a mere usurper and tyrant in the man, who, born in a low rank of life, at a period when his country was overrun by foreign invaders raised himself, by the force of his own genius and courage, to the highest military rank; attacked, defeated, and expelled every enemy from Persia; and afterwards, with the universal consent of his countrymen, seized the sceptre which his valour, had saved, and which a weaker hand could not have wielded. Such an historian, after dwelling with pleasure, if not enthusiasm, on the early events of his life, would accompany Nadir with satisfaction in his war upon those barbarous Afghan tribes, who, for a series of years, had committed the most horrible ravages in Persia; and though it would be impossible to commend the motives that led that monarch to attack the emperor of India, the extraordinary valour and conduct which he displays in that enterprize, the exercise he gave by it to that military spirit which he had, with such difficulty, rekindled among his countrymen, and the magnanimity with which he restored the crown (which he had conquered) to the weak representative of the illustrious house of *Timur*, might, without offence to truth, be stated, by such a writer, in mitigation of that insatiable desire of glory which prompted the enterprize, and of those excesses by which it was attended."

LETTER I.

(Written before Nadir Shah ascended the throne,) addressed to Muhammed Ali Khan, Beglerbeg of Fars; and giving an account of the conquest of Herat.

To the highest of the exalted in station, the chief of the great nobles, *Muhammed Ali Khan*, these happy tidings be conveyed.

Aided by the bounty of an all-powerful Creator, and the happy auspices of the house of Haider,* and the twelve holy *Imams* (on whom be eternal mercy,) with my crescent formed and all-subduing scimitar, which in glory resembles the recent moon, and with my powerful and victorious army, and soldiers of propitious destiny, *who are those sent from heaven*,† I have, under the influence of good fortune, surpassed all others in the capture of fortresses and cities.

At this happy and auspicious period, the host of *Afghans*, of the tribe of *Abdalli*, who fled from the edge of the conquering swords of my dragon-like warriors, retired *as a spider within its web*‡ into the Fort of *Herat*. Their hearts were distracted with fear, and the pillars of patience and fortitude, that had supported their resolutions, were cast down. Reduced to distress, by the complicated evils of famine and of the sword, they implored mercy; and "as clemency is enjoined to the powerful," I permitted them to evacuate the Fort; and have sent (with a view to disperse them) sixty thousand of this tribe with their families, who were reduced to great misery, to the city of *Khar Shahyar* in the province of *Khorasan*. By the favour and blessing of that omnipotent being, by whom I have been protected, the Fort of *Herat* is in my possession; and the whole of the tribe of *Afghans*, as also of the *Ghelyahs* ‖ of *Candahar*, who were in the bonds of alliance with them, have submitted; and have placed upon their necks the collar of obedience.

In the midst of these actions, by which the whole country from *Herat* to *Candahar*, has been completely subdued, and the disturbers of tranquillity, on the borders of *Khorasan*, exemplarily punished, I learn by a letter from Muhammed Reza Khan, who was sent ambassador to the court of *Rum*,§ that he has concluded a treaty with the king, by which it is agreed that the *Turkish* empire shall possess the territory on the other bank of the river *Aras*; and the *Persian*, all upon this: but no arrangement appears to have been made for the liberation of the prisoners of the sect of Ali, who are confined in the *Turkish* dominions.

It is an incontestible truth, that the existence of humble persons, like us, who, from the favour of a divine providence, have obtained rank and pre-eminence over others, is for no other purpose than that we should be the friends of the sect of *Shiahi*; that we should relieve the distress and dispel the

* Ali. Here the tribe of Shiahs are meant, who are supposed to be under *Ali's* protection, and, in fact, part of his family.

† Sentences marked by italics, are passages from the *Koran*, of which I have concisely rendered the meaning.

‡ From the *Koran*. The passage literally signifies "like unto the spider that maketh himself a house." But the weakest of all houses surely is the spider's.

‖ A particular tribe of *Afghans*.

§ Constantinople.

lieve

grief of the poor and the afflicted, ("for to protect the ruled is the duty of the ruler.") That we should combat the enemies of the weak, and eradicate the distemper of sedition, from the body of the state: not that, (deaf to the voice of the helpless, and unmindful of those that are prisoners,) we should break such sacred engagements, to conciliate the approbation, and yield to the power of a proud enemy.

By the great and powerful God, this day is big with ruin to their enemies, and with joy to the sect of *Shiahs*, the discomfiture of the evil minded is the glory and exaltation of the followers of Ali. *When the avenger is at hand the wicked tremble and are appalled. Their eyes roll wildly, like one in the agonies of death. Let the danger pass over, and it is forgotten. They revile and mock with their tongues.*

This is a just description of the *Turkish* tribe. Why should we listen to more prevarications? Or why confine ourselves to the bank of the *Aras*,* when it is manifest, that the peace, which has been concluded, is contrary to the will of God, and irreconcileable to the wisdom, or dignity, of imperial greatness.

I have stated to the minister of the exalted prince, that such a peace cannot be permanent, and that, I conclude the mission of an ambassador, to have been an act of compulsion, as I cannot believe that the prince would, under other circumstances have consented to such a degradation of his dignity. But at all events, as offerings are continually made in the palaces of the lords of the faithful, and the holy men, with broken-hearts are praying to their divine Creator for the release of the *Musulman* prisoners; it was my determination, after receiving leave from the holy prince of regions,† *Ali Ibn Mausa Reza*, (on whom be eternal blessings,) to march on the second day after the feast of *Feter*,‡ toward the disputed quarter, aided by the divine power, and accompanied by an army raging like the troubled ocean.

I shall overflow my banks, and fly like an impatient lover to his mistress;
Like a torrent, will I rush, with my breast ever on the earth.
Hafiz, if thy footsteps desire to gain, by the true path, the holy house,
Carry along with thee the virtue of the exalted *Nejef.*

I have represented also, that I have sent the high in dignity, *Mahsum Ali Beg Geraili*, ambassador to the court of Rum, and that he is attended by a respectable escort, and that he is fully acquainted with my wishes and sentiments.

You will no doubt be rejoiced to hear, that, as it was to be hoped from the goodness of God, this peace with the *Turks*, is not likely to endure, and you may rest in expectation of my approach. For by the blessing of the most high, I will advance immediately, with an army elated with success, skilled in sieges, numerous as emmets, valiant as lions; and combining with the vigor of youth, the prudence of age,—I will attend on the exalted prince, and then proceed towards the *Turkish* frontier.

* Araxes.

† One of the twelve *Imams* who died at *Meshed* Khorasan where he is buried.

‡ This feast happens at the conclusion of the month of *Ramzan*.

Let

Let the cup-bearer tell our enemy, the worshipper of fire,
To cover his head with dust,
For the water, that had departed, is returned into its channel.

Such of the tribe of *Shiahs,* as are backward on this great occasion, and are reconciled to this shameful peace, should be expelled from the faithful seat, and for ever counted among its enemies. To slaughter them will be meritorious; to permit their existence impious.

I have heard that, during the reign of Mutasim,
A woman of *Ajim* was taken by the foe:
Her eyes became channels for torrents of blood
She thus complained of her wretched state,—
"Oh, *Mutasim!* why art thou supine? I call for justice!
Thy subject is a prisoner in the hands of thine enemy.
Thou art the flame in the lamp of the country.
On thee depends the shame or glory of the nation
Thou art the protector of the poor and wretched:
All their children are the children of their sovereign."
Her masters, astonished at these exclamations,
In rage struck her on the face;
And said, "now let your monarch, *Mutasim,*
With all the renowned heroes of *Persia,*
Collect an innumerable army,
And come, if they choose, to thy rescue."
This speech soon reached the great *Mutasim,*
Who immediately published, throughout *Persia,*
That all, who pretended to the name of men,
Should instantly assemble in arms.
When the monarch had completed his mighty preparations,
He soon heaped destruction on the heads of his enemies,*
To release one prisoner from the hand of the foe
If an incomparable army were assembled,
At this moment, when numbers of the *Shiahs* of *Persia*
Are prisoners in the hand of cruel men,
And, with their lamentable cries, uttered morn and eve,
Have rendered dark and gloomy the azure sky;
It is acknowledged by the tribe of *Shiahs,*
That the king† of *Khorassan,* the Imam of the age,
Is not considered by the men of *Persia*
As less honourable, nor of lesser fame, than *Mutasim:*
Then, by the mercy and greatness of the creator,
Victory is still declared to these soldiers.
Under the auspices of the most merciful of the world,
I have taken ample vengeaoce on the *Afghans.*
Aided by the fortune of the lord of Khorassan,
I have been revenged on the whole tribe of the Afghans.
There remains not in this quarter, at this period,
Aught of that tribe but their name.
In this war great actions have been fought.

* This story is related by historians, of *Mutasim,* the son of Harun Al Rashid, and eighth Khalif of the house of Abas. D'Herbelot, at Bibl, Or, 639.

† *Ali Mausa Reza* the seventh *Imam,* buried at *Meshed.*

The

The *Kezel-bashes* * became each a sharp-pointed thorn.
From the slaughter that has been made, and the blood that hath been shed,
Our high-polished scymitars have received a purple stain.
I have taken from the worthless foe,
With my sword, the region from *Herat* to *Candahar* !
By the sacred temple of the lord of *Nejef*,†
We will turn with vehemence to that quarter :
We will perform a pilgrimage to that threshold ;
And we will afford protection to our prisoners ;
We will take ample vengeance of the *Turks* ;
We will punish ‡ all our foes.
And in this war, whoever continues inactive,
Or from baseness remains in pretended ignorance,
Both his property and his blood are lawful prize,
He is to be considered out of the pale of the true faith."

Most noble Lord,

If the state of the province of Fars will permit, lose not a moment in repairing to the court of the most exalted prince at Isfahan, and represent to him that, as the peace, which has been concluded, will benefit no person whosoever, and can in no light be viewed as proper or reputable; it neither meets the approbation of the nobles, nor the commonalty of the empire.

But, if you should be prevented from moving to the capital, owing to the dispute with the Arabs not being adjusted, let me be instantly informed. If you are able to quell these troubles, it is well. But if you require aid, make me acquainted; and a detachment of my victorious army shall march to your support.

Keep me regularly informed of the news of your quarter.

LETTER II.

From Nadir Shah, *to his son* Reza Kuli Mirza, *giving an Account of the* conquest of Delhi.

To the exalted and glorious son of our wishes, the valiant Reza Kuli Mirza, who is our vice-gerent in Iran, the seat of our empire; our most beloved, the pre-eminent in royal rank, allied to us in dignity,—be these glorious commands known.

Agreeably to our former communications, after the defeat of the

* *Persians*, literally *Redheads*, a name given to them, from the circumstance of *Shah Ismael* having directed all true followers of the sect of Shah to wear red caps.

† Ali, son in law of the prophet who is buried at Nejef.

‡ Literally, *furbish the garments*.

the Afghan prince, Ashref Ali Merdan Khan was appointed our ambassador to the court of Hindostan, for the purpose of representing to that court, that as the turbulent Afghans of Candahar, and its neighbouring provinces, were to be considered equal enemies to both states, it would be adviseable to appoint an army from Hindostan, to occupy the passes, and prevent the retreat of the marauders. The emperor, Muhammed Shah, gave a ready assent, and concluded a treaty to the proposed effect. After the return of our ambassador, we sent Muhammed Ali Khan to the court of the Indian emperor, to repeat our instances on this subject, and Muhammed Shah confirmed his former engagement.

After our glorious and victorious standards returned to Candahar, we understood from our conquering generals, employed with a part of our force, in the reduction of the Afghans of Kallat and Ghizni, that Muhammed Shah had in no respect fulfilled his engagements, and that no appearance of an Indian army had been seen in that quarter. This intelligence induced us to send, with the utmost expedition, Muhammed Khan Turkoman to the court of Delhi, to remind the emperor of his promises; but that sovereign and his ministers, in dereliction of their former engagements, treated the subject with neglect, omitted answering our letter, and even put restraint on the person of our ambassador.

In this situation we were impelled to march against the Afghans of Ghizni and Cabul, and after punishing the refractory mountaineers in that quarter, as we considered the neglect and contempt with which Muhammed Shah had behaved, and his conduct to our ambassador irreconcileable with friendship, we marched towards Shahjehanabad.

Of our success in reducing the provinces of Peshavir, and taking possession of Lahore, the former seat of the empire, our beloved son has already been informed. We marched from that city the last day of Shaval; and on Friday, the 10th of Zelkad, reached Ambala, forty farsakhs from Shahjehanabad. We here learnt that Muhammed Shah had collected from Hindostan and the Dechin a numerous force, and, accompanied by all his nobles, by an army of three hundred thousand men, three hundred pieces of cannon, three or four hundred elephants, and other equipments in proportion, had marched from Delhi, and arrived at Panipet, a village twenty farsakhs from Ambala. We immediately directed the superfluous and heavy baggage of our conquering army to be left at Ambala, and advanced to meet the enemy.—Muhammed Shah also left Panipet, and marched to Carnal, which is twenty-five farsakhs from Delhi.

In the course of our march we detached a force of five or six thousand men in advance, who had orders to observe the appearance, numbers, and order, of Muhammed Shah's army. This body, when about two forsakhs from Carnal, fell in with the advance of the Hindostanee army, which amounted to twelve thousand men: these they attacked, and totally routed, presenting us with their general, and many others whom they made prisoners.

This signal defeat put a stop to Muhammed Shah's further advance. He halted at Carnal, and surrounded his army with a trench: he

he also constructed ramparts and batteries, on which he placed his cannon.

We had sent a detachment to march to the east of Muhammed Shah's camp, and post themselves on the road that led to Delhi: this party received accounts, on the night of Tuesday the 15th, that Saadet Khan, known by his title of Burhan ul Mulk, and one of the chief nobles of the empire, had reached Malabat, accompanied by an army of 30,000 men, a train of artillery, and a number of elephants, and intended forcing a junction with Muhammed Shah.

With a view of intercepting this force, we marched our army, two hours before day-break, to the east of Carnal, and occupied the road between that village and Panipet. This movement, we hoped, would force Muhammed Shah from his entrenchments. About an hour and a half after day-light we had passed Carnal, and gained the east side of the Hindostanee camp, when the advance guard made prisoners of some stragglers of Saadet Khan's party, from whose information we learnt that that general had succeeded in his design of forming a junction with the emperor, in whose camp he had arrived at ten o'clock the preceding night.

On this intelligence we were pleased to order our royal tents to be pitched on the ground, which we then occupied, opposite to the camp of Muhammed Shah, from whom we were distant about one farsakh.

As the junction of *Sâadet Khan* had been the cause of *Muhammed Shah's* delay, he conceived on that event his appointments to be complete; and, leaving two-thirds of his cannon for the protection of his camp, he advanced with a great part of his army, a third of his artillery, and a number of his elephants, at twelve o'clock the same day, half a farsakh in the direction of our royal army; and drew up his troops in order of battle. Placing himself in the centre of the advanced lines, he stationed the remainder of his troops in the rear as a support. Their numbers were incredible. They occupied, as close as they could be drawn up in depth, from the front line to the entrenched camp, a distance of half a farsakh; and their front was of equal extent. The ground was every where dark with their numbers, and to judge from appearence, we should suppose they were ten or twelve times more numerous than the army of *Abdal Gardoghly*.

We, whose only wishes were for such a day, after appointing guards for our camp, and invoking the support of a bountiful creator, mounted and advanced to give battle.

For two complete hours the battle raged with violence, and a heavy fire from cannon and musquetry was kept up. After that, by the aid of the Almighty, our lion-hunting heroes broke the enemy's line, and chaced them from the field of action, dispersing them in every direction.

Sâadet Khan mounted on his state elephant, his nephew *Nisha Muhammed Khan*, and other relations, fell prisoners into our hands, *Samsam Ali Khan Dauran Amir, Ul Omrah, Behadur*, the first minister of the empire, was wounded. One of his sons, with his brother *Muzefer Khan*, was slain, and another of his sons, *Mir Aâshûr* was taken prisoner. He himself died the following day of his wounds.

Wasili

Wasili Khan, the commander of the emperor's body guard, *Shadat Khan, Amir Kuli Khan, Ali Muhammed Khan, Mir Husen Khan Khàja Ashref Khan, Ali-Yar Khan, Aakil Khan Beg, Shahdád Khan Afghan, Ahmed Ali Khan, Razin Rai Khan*, commander of the artillery, as also *Shir Khalu*, with about three hundred other nobles and leaders, of whom fifteen were commanders of seven thousand, of four and of three thousand, were slain.

Muhammed Shah, with *Nizam Ul Mulk*, ruler of the seven provinces of the Dechin, and a chief noble of the empire, *Kamer Ul Din Khan*, chief vizier, and some other nobles of less note, protected by a covering party which had been left, made good their retreat within the intrenchments, and escaped the shock of our victorious swords.

This action lasted two hours; and for two hours and a half more were our conquering soldiers engaged in pursuit. When one hour of the day remained, the field was entirely cleared of the enemy; and as the intrenchments of their camp were strong, and the fortifications formidable, we would not permit our army to assault it.

An immense treasure, a number of grand elephants, the artillery of the emperor, and great spoils of every description, were the reward of our victory. Upwards of twenty thousand of the enemy were slain on the field of battle, and a much greater number were made prisoners.

Immediately after this action we surrounded the emperor's camp, and took measures to prevent all communication with the adjacent country, preparing at the same time our cannon and mortars to level with the ground the fortifications which had been erected.

As the utmost confusion reigned in the imperial camp, and all discipline was abandoned, the emperor, compelled by irresistible necessity, after the lapse of one day, sent *Nizam Ul Mulk*, on Thursday, the 17th, to our royal camp; and the day following, *Muhammed Shah* himself, attended by his nobles, came to our heaven-like presence, in an afflicted state.

When the emperor was approaching, as we are ourselves, of a *Turkoman* family, and Muhammed Shah is a Turkoman and the lineal descendant of the noble house of *Gaurgani*; we sent our dear son, *Nasir Ali Khan*, beyond the bounds of our camp, to meet him. The emperor entered our tents, and we delivered over to him the signet of our empire. He remained that day a guest in our royal tent.

Considering our affinity as Turkomans, and also reflecting on the favors and honors that befitted the dignity and majesty of a king of kings, we bestowed such upon the emperor, and ordered his royal pavilions, his family, and his nobles, to be preserved; and we have established him in a manner equal to his great dignity.

At this time, the emperor with his family, and all the Lords of Hindustan, who marched from camp, are arrived at *Delhi*; and on Thursday, the 29th of *Zilkad*, we moved our glorious standards toward that capital.

It is our royal intention, from the consideration of the high birth of *Muhammed Shah*, of his descent from the house of *Gaurgani*, and of his affinity to us as a *Turkomán*, to fix him on the throne of empire, and to place the crown of royalty upon his head.

Praised be to God, glory to the Most High, who has granted us the power to perform such an action!

For

For this great grace which we have received from the Almighty, we must ever remain grateful.

God has made the seven great seas like unto the vapour of the desert, beneath our glorious and conquering footsteps, and those of our faithful and victorious heroes. He has made, in our victorious mind, the thrones of kings, and the deep ocean of earthly glory, more despicable than the light bubble that floats on the surface of the wave; and no doubt his extraordinary mercy, which he has now shewn, will be evident to all mankind.

As we have taken possession of a great number of cannon, we send 20,000 *Moghals* of *Iran* and *Turan*, with a detachment from our own conquering army, and a body of artillery, with some large elephants, whom we have directed to march to *Cabul*. No doubt our sons will inform us of the affairs of that quarter.

After the arrival of your letter, we will either order the detachment which we have sent to proceed to *Balkh* or to go to *Herat*.

We have appointed the high in dignity *Aashur Khàn* to march to *Balkh* after the *Nauroz* (22nd of March), which he no doubt will do.

Consider our glorious victory as derived from the bounty of the creator, and as an event of fortune beyond all calculation. Make copies of this our royal mandate, and disperse them over our empire, that the well-wishers of our throne may be happy and rejoice, and our secret enemies be dejected and confounded. Be you constantly employed in adorning and arranging your government, placing your hopes in the favor of the Most High; so that, by the blessing of God, all those, whether near or distant, that are not reconciled to our glorious state, and are brooding mischief, may be caught in their own snares; and all real friends, who are under our dominion, may attain their wishes, and prosper under the auspices of our munificent government.

Dated 29, *Zilkad* 1115. Hejira, *Shahjehanabad*, or *Delhi*.

ACCOUNT OF THE JAINS.

The short account of this religious sect is furnished by Major Mackenzie, of the Madras Engineers, on information communicated to him by two of the principal priests of this curious class of people. The description of the casts, and customs, and habits of the Jains, to which the following sketch is confined, is preceded, in the more ample details of the Brahmins of this order, by a chronological account of the Gurus, or spiritual directors of the sect; and by an history, according to Jaina tradition, and superstition, of the monarchs, by whom the "world was ruled," to the beginning of the *Caliyuga* or present age; embracing an interval of many thousand years duration. As none but the learned orientalist could be expected to have a taste for Hindu appellatives and titles, or the classification of sovereigns, who have been so long dead and forgotten, that the world cares nothing about the memory of them, the Editor has chosen to confine himself to the portraiture of animated beings, in whose history, character, and mode of life, all men living must take an interest.

 The

The *Jains** are divided into four classes or casts, in like manner, as the followers of the Vedas, viz. *Brahmens*, *Cshatris*, *Vaisyas*, and *Sudras*; the *Brahmens* are the priests, or ministers of religion, for the other three casts; their duty is to study the Purànas and Sástras, but they have no Védas. However they have the Agama Sástra, treating of prayers and other religious duties. They worship the fire, in the ceremony of marriage, and in that of initiation, (*Upanayana*) † The *Jains* observe the time of mourning for their deceased relations, according to their casts, as follows: an Ascetick or *Yati*, should mourn for the death of his relations, one minute; *Brahmens* are to mourn ten days; *Cshatris*, five; *Vaisyas*, twelve; *Sudras*, fifteen. Their lower or inferior cast consists of the Pariyas, or *Chandalas*.

There are four orders of priests among the *Jains*, as among *Hindus* in general. 1. *Brahmachari* or student. 2. *Grihast'ha*, or householder. 3. *Vanaparasta*, or hermit. 4. Bhicshuca, or mendicant.

There are sixteen ceremonies, which the Jains, as well as the followers of the Vedas, observe. Among which are 1. (*Garbad'hana*) the ceremony at the consummation of a marriage. 2. (*Simant*) adorning a married woman's head with flowers, when she is six months gone with child. 3. (*Jatacarma*) ceremony on the birth of a child, 4. (*Namacarma*) or naming a child. 5. (*Annaprasana*) when at six months old, or within a year, the child is weaned, or first fed with other sustenance than his mother's milk. 6. Boring the ear, shaving the head, and placing the sacred thread round his neck. 7. (*Vivaha*) the first marriage, or rather betrothing. 8. (*Sastrabhasa*) the ceremony observed, when the young lads begin to read the *Sastras*, at the age of five years, five months, and five days. 9. They also observe other ceremonies, together with those of funerals, &c. &c. &c. They perform the ceremony of *Upanyana*, or initiation, for a boy, between five and nine years of age; which is the period when children begin to study the books of the law. A student, till he is married, should tie only a thread round his loins, with a rag to cover his nakedness; he should carry constantly in his hand, a small staff. This is practised till his wedding day; when as soon as he is married, he attains the second rank, or that of householder; then he may dress properly at his pleasure; and should now endeavour,

* The Jains constitute, according to the result of the enquiries respecting them, and as noticed by Mr. Colebroke, a sect of Hindus; differing in some tenets, but agreeing mainly in leading opinions and customs. The points of *consent* and *discrepancy*, are noted with great accuracy and perspicuity, as, indeed, is every subject which is fortunate enough to engage the attention of the president of the Asiatic Society. Among the FIRST, is the division of the sect into four large casts—the use of the same religious ceremonies, with the Hindus, from the time of the birth of a male, to the period of his marriage—the observance of general fasts, and the acknowledgement of subordinate deities. Among the LATTER—is their refusal of particular worship to any one of the five principal gods of the Hindu sects, and of prayers and sacrifices to the sun or fire—and their rejection of the divine authority of the Vedas, and the ceremonies enjoined by them.

THE EDITOR.

† This must arise from employing, at those ceremonies, *Brahmens* of the orthodox sect. The *Jains* themselves do not appear to worship fire, H. T. C.

vour, by labour, service, or trade, to provide for, and subsist his family. He should act in all respects agreeably to the instructions of his preceptor. Besides these duties, there are six particularly assigned, to be performed in the station of householder, as follows:

1. Worshipping God, or the images of the ancient saints; 2. Venerating spiritual parents; 3. Studying or reading their holy books; 4. (*Tapasya*) Internal or mental devotion, abstraction from all thoughts but that of the deity; 5. Making and fulfilling of vows for the attainment of wishes; 6. Giving to the poor.

There are three classes of Yatis, or Asceticks, among the *Jains*, viz. *Anuvrata*, *Mahavrata*, *Nirvana*. To attain the rank of *Anuvrata*, one must forsake his family, entirely cutting off his hair, throwing away the sacred thread, holding in his hand a bundle of peacocks feathers, and an earthern pot, (*Camandalu*) and wearing only tawny coloured clothes; he must reside for some time in one of their temples; he next proceeds to the second rank (*Mahavrata*) when, totally abandoning any degree of elegance in his dress, he uses only a rag to cover his nakedness, as a *Brahmachari*; he still retains the fan and pot; he must not shave the head with razors, but employ his disciples to pull out the hair by the roots.* On the day on which this operation is performed, he abstains from food; at other times he eats only once daily, of rice put in the palm of his hand. Having, for a considerable time, remained in this state of probation, he attains the third degree of *Nirvana*. He then lays aside, even rags, and being quite naked, he eats once every second day, of rice, put by others in the palm of his hand, carrying about with him the clay pot and a bundle of peacocks feathers; it is the business of his disciples to pull out his hair, and he is not to walk, or move about after sun set; he now is called by the dignified title of *Nirvan*, and the *Jains* worship him as a God of their tribe, in like manner as the images which they worship in their temples, of the ancient *Nirvans* or *Gurus*. Yet they say, that these are not the likeness of God; "*because no one knows God*, or "has seen his likeness, that he "should be able to describe him." However, they adore these images of their *Nirvana-naths* as Gods.

Agreeably to their laws, the *Jains* ought to make three ablutions daily, in the morning, afternoon, and evening. In the change and vicissitudes of all things, that degree of strictness is omitted, and they now wash only once a day before they eat; generally they eat their food on leaves, and sometimes in brass vessels; but that is not practised in this country.

The *Cshatris*, *Vaisyas*, and *Sudras*, among the *Jains*, may eat victuals dressed by *Jaina Brahmens*; but *Brahmens* never eat food prepared by any but their own tribe. "To abstain from slaughter is the highest perfection; to kill any living creature, is sin;" hence the *Jains* abstain from food after sunset,

* To the effects of this operation, they attribute the appearance on the heads of the images of their *Gurus*, which Europeans suppose to represent curling, or woolly hair, C. M.

set, lest sin be incurred by depriving any animal, even the minutest insect of its life in their food; for the same reason they never drink water without straining it through a cloth.

The principal tenets of their religion, translated from a stanza of their books, follows: "The *Jains* should abstain from the following things, viz. eating at night; slaying any animal; eating the fruit of those trees that give milk, pumpkins, young bambu plants; tasting honey, flesh; taking the wealth of others; taking by force a married woman; eating flowers, butter, cheese, and worshipping the Gods of other religion. To abandon entirely the above mentioned, is to be a proper *Jain*." The *Jains* (even the young lads) never taste honey, as it would occasion expulsion from their cast. They never taste intoxicating liquors, nor any other forbidden drink.

A man who neglects to observe due precautions, that no living creature be exposed to danger, from the following five domestic occupations,* will not be admitted to the sacred presence of God. 1. In splitting firewood; 2. Forming the floor, and smearing it with cow dung; 3. Cleaning the fire place; 4. Straining water; 5. Sweeping the house. When about to perform these offices, he should first be careful, that there be no insect, for it is a mortal sin to hurt any living being.

The women should marry before menstruation appears, though owing to changes, and particularly their poverty and depression, they are now obliged to put off this ceremony, till long after their proper age, for want of money to pay the expense. When a woman is unclean, she must stay at a distance from her relations, in unchanged clothes, for four days. On the morning of the fifth day, she is permitted to mix with her family after ablution.

A Jain woman never marries but once; and, if the husband dies when she is young, she must remain a widow as long as she lives, being forbidden to wear ornaments or delicate apparel, or to use nice food. In the western quarter, towards *Saondha, Caodyal*, &c. when the husband departs from the world, the widow's head is shaved in like manner as the *Brahmen* widows of other countries; but this custom has gone out of use in this country for a considerable time; a widow never dresses elegantly, and is not allowed to wear glass rings, or the *Mangalasutra*, (an ornament on the wedding day, tied round the neck of the bride, by the husband) nor to use the yellow and red colours, or paint, by which married women are particularly distinguished. While the husband lives, they may wear all ornaments allowed by the law; opulent people of this tribe are still permitted to dress like other *Hindus*, in all kind of costly apparel, suited to their station.

When a man dies they burn the corpse, and throw the ashes into water; the rich cast the ashes into rivers. They never perform other obsequies, as their law says, "the "spirit is separate or distinct from "the

* See Menu, 3. v. 68. The same notion occurs there; but the orthodox have sacraments to expiate the involuntary sin. The *Jains* not admitting the efficiency of religious acts, are content to use precautions to avoid the sin, H. T. C.

"the body, which is composed of "five elements; when therefore "the corpse is burnt, the several "parts which composed it, return "to their former state; conse- "quently, to the deceased no "ceremony is due." After death, as nothing of him remains, therefore they omit to perform the monthly and annual ceremonies which other *Hindus* observe on this occasion, and they give these reasons in vindication: "A man "should feed himself with the best "food while he lives in this world, "as his body never returns after "it is burnt."

They further say, that the foolish people of other tribes, being deficient in sacred knowledge, spend money in vain, on account of deceased relations; for how can a dead man feel satisfaction in ceremonies, and in the feeding of others? "even a lamp no longer "gives light, by pouring more "oil into it, after its flame is once "extinguished." Therefore it is vain to make feasts and ceremonies of the dead; and, if it be wished to please relations, it is best to do so while they are yet living, "what "a man drinketh, giveth, and "eateth in this world, is of advan- "to him, but he carrieth nothing "with him at his end."

"A man of sense should believe "only what he seeth with his own "eyes, and should never believe "what he heareth from others." The *Jains* do not (like the followers of the *Vedas*) believe, that this world exists by the supreme power of God; for they say, that the world is eternal, and that its changes are natural. They deny, the world is wholly subject to destruction, for all things are born by the power of nature; God only is exempt from *Carma*, or the frailties and inconveniences of nature.

As the *Jains* profess not to put faith in oral testimony, and only believe in what is perceptible to their own organs of sense; therefore, they do not believe, that God is in the heavens above, "*because* "*no one ever saw him*," and they deem it impossible for others to see him; but they believe in their *Tirt'hacars*, as their ancestors have seen and given a full description of the first prophet, or *Guru*, who attained the station of *Nirvana*, by his extraordinary perfections and actions, to the satisfaction of mankind, down to the present age. Since his time they have images of the several *Gurus* who succeeded him, and were incarnate as protectors of their religion. These naked images they worship in their temples with all due ceremonies; they consider them as gods, or rather as representatives of god, whom they describe as follows; "He has a likeness, "and no likeness; he may be "compared to an image of chrys- "tal; he has eight good qualities, "and is exempt from eight evil "qualities; he is all wise, all "seeing, the father, or the origin "of all, enjoying eternal bliss, "without name, without relation, "or beginning, infinite, inde- "scribable." The eight evil qualities from which the nature of god is exempt, are ignorance, mental blindness, pain incident to nature, the distinction of name, of tribe, delusion, mortality, dependence. He who possesses these good qualities, and has overcome these evils, or is superior to them, is the god of the *Jains*, or *Jineswara*, being incarnate in the shape or body of one of their *Guras*, or

Tirt'hacars.

Tirt'hacars. Therefore the *Jains* worship the images of their *Gurus*, as the means of attaining the following stations: 1. (*Saloca*) a station, whence god is beheld at a distance; 2. (*Samipa*) one in the presence of, or near god; 3. (*Sarupa*) similarity to god; 4. (*Sayoga*) union with God. According to these several gradations, he belongs either to the order of, 1st. (*Grihast'ha*) a householder; 2nd. (*Anuvrata*) the lowest rank of asceticks; 3d. (*Mahavrata*) the second; or fourthly, (*Nirvana*) the highest. But a bad man who leads an evil course of life, in contradiction to their sacred laws, departs at his end, to hell, or *Naraca*. The *Jains* of this country never follow any other trade than merchandize. They wear a cloth round their loins, a turban on the head, and a jacket to cover the body, and put a mark with sandal powder on the middle of their foreheads; some have a small circlet with red powder, in the centre of the sandal mark, by way of further decoration.

The preliminary form of addressing letters by the *Jains*, to one another, is as follows:

"To him who possesses all good "qualities, who performs all charities, (or bestows alms) according to the laws, who observes the "rules of the *Jains*, who has zeal "to repair the Jain temples, who "perseveres in observing the ceremonies of *Ashtami* and *Chaturdasi*, (8th and 14th of each half-"month) he who purifies his head "by the drops of the sandal water "in which the images of the "*Jains* are bathed, to such I bow "my head, &c. &c.

At this time the Jains have four *Mat'hadhipas*, or chief pontiffs, at the following places: 1. *Penugonda* or *Pennaconda*; 2. *Canchi* or *Conjeveram*; 3. *Collapur*; 4. *Delhi*.

Their *Sannyasis*, for a long time back, have resided in these places, with power over all those, professing their religion; these pontiffs teach their laws, duties, and customs; and if they observe any irregularities among their flocks, punish them according to the nature of the offence.

The *Jains* intermarry with women of other families, or Gotras, and eat with the disciples of their several priests and casts.

They generally account modestly for all their tenets, and conduct themselves with propriety, and never assert, that their bodies are eternal, and that there is *no god*; nor do they, like the *Baudists*, say, "After death, there is no pain in the flesh, or feeling; since it feels not pain, nor death, what harm is there in feeding upon it, when it is necessary to procure health and strength."

ACCOUNT *of the* SECT *of the* PARSEES.

Besides the Moors and the Banians, and the Faquirs, which belong to both professions, the Parsees are a sect very considerable in India, of whom the tradition is, that, coming from Persia in a tempest, at the time that Mahomet and his followers gave laws to the Persians, (which they were unwilling to submit to) they were driven

driven to that distress, that they almost despaired of life, till, hearing a cock crow, and espying fire at land, they recovered their hopes of safety, and gained a speedy arrival. The cock therefore is as much esteemed by them, as the cow is by the Bannians, of the lives of both which they are the zealous patrons and protectors. For the worshipping of the fire seems to be the most ancient instance of idolatry in the world, inasmuch, (as some think) that Cain, after he was banished from the presence of the Lord, turned a downright idolator, and then introduced the worship of the sun, as the best resemblance he could find to the glory of the Lord, which was wont to appear in a flaming light. And in after-times, they worshipped fire in the eastern countries, as the best emblem of the sun, when it was absent. Nor was the vestal fire ever more sacred, than all other fires are with the Parsees; the extinction of which, if it is voluntary, is a crime as heinous as if the vital heat of the cock, or some other beloved animal, were destroyed; so that if their houses were on fire, they would sooner be persuaded to pour on oil to increase, than water to assuage the flame. If a candle is once lighted, they would judge the breath of him more than pestilential, that durst attempt to blow it out. And a Parsee servant, who is commanded to bring a hot steel, and warm with it a bowl of punch, will plead his excuse, and that he dare not hasten the coolness of the steel by a violent abatement of the heat. The active flame must be allowed to live, while there is any fuel for it to feed on; if the fire is once kindled, all care is taken that it comes to a natural expiration, and no violence allowed to bring it to a period sooner. Another account we have of their respect for fire, is, that their lawgiver, Zertoost, was taken into heaven, and brought from thence fire with him (Prometheus-like) which he commanded his followers after to worship.

They have other fables concerning Abraham, that he was once in the devil's power, who exposed him to the flames, but the kind fire would not fasten on him; from which they infer the great unreasonableness of destroying that element, which was so averse, (notwithstanding all its fury) from hurting Abraham their friend: the reason of this may be, because that Abraham came from the land of Uz, which signifies fire, which might give occasion for the fable of his escaping the fire.

They own and adore one Supreme Being, to whom, as he is the original of all this, they dedicate the first day of every month, in a solemn observance of his worship. And enjoin, besides these, some others for the celebration of public prayers.

At their solemn festivals, whither an hundred or two sometimes resort, in the suburbs of the city, each man, according to his fancy and ability, brings with him his victuals, which is equally distributed, and eaten in common by all that are present. For they shew a firm affection to all of their own sentiments in religion, assist the poor, and are very ready to provide for the sustenance and comfort of such as want it. Their universal kindness, either in employing such as are needy and able to work, or bestowing a seasonable

sonable bounteous charity, to such as are infirm and miserable, leave no man destitute of relief, nor suffer a beggar in all their tribe; and herein they so far comply with that excellent rule of Pythagoras, "to enjoy a kind of community among friends."

These Parsees are by another name termed Gaures, or worshippers of fire, because of their veneration for that element; and were transported into India, when Calyf Omar reduced the kingdom of Persia, under the power of the Mahometans; and they profess the ancient religion of the Persians. But their religion spread itself more westerly, it seems, than Persia, for the Babylonians, who by their religious discipline were engaged to the worshipping of the sun, did likewise, under the names of Nego and Shaca, adore the fire and the earth. And the parents of Gregory Nazianzene, who was born in the fourth century at Arianzum, an obscure village belonging to Nazianzum, a town of second Cappadocia, were of a mixt religion, made up of Judaism and Paganism, or rather some select rites of both; for with the Gentiles they did honour to fire and burning lights, but rejected idols and sacrifices; and with the Jews they observed the sabbath. But I believe what remains of this cast, are most of them in the kingdom of the Great Mogul. But we read of some in Persia of great antiquity; for near Yesd, in the province of Ayrack, (for Hierack Agemi) which yields the richest and fairest tapestries of all Persia, and of the world, and on the mountain Albors, there are yet some worshippers of fire, who are said to have used it above 3000 years.

They are not quite so abstemious in their diet as Bannians, but superstitiously refuse to drink after any stranger, out of the same cup. Some Hindoos will eat of one kind of flesh, some of another, but all refrain from beef, out of respect to kine.

In their callings they are very industrious and diligent, and careful to train up their children to arts and labour. They are the principal men at the loom in all the country, and most of the silks and stuffs at Surat are made by their hands. The high priest of the Parsees is called Destoor, their ordinary priests Daroos, or Harboods.

I shall not mention their marriages, which much resemble the manner of the Bannians, but proceed only to a description of their way of burying, which is this: the noblest sepulchre which they fancy they can bestow upon their deceased friends, is exposing them to be devoured by the fowls of the air, and bestowing their carcasses on the birds of prey. After the body is for some time dead, the Halalchors (which are a sort of sordid Indians) take and carry it out upon a bier into the open fields, near the place, where it is exposed to the fowls of heaven. When it is there decently deposited upon the ground, a particular friend beats the fields and neighbouring villages, upon the hunt for a dog, till he can find one out; and having had the good luck to meet him, he cherishes and entices him with a cake of bread, which he carries in his hand for that purpose, till he draws him as near the corpse as he is able; for the nearer the dog is brought to the dead body, the nearer are its approaches to felicity. And if the hungry cur can, by bits of cake, be brought so nigh the deceased, as to

to come up to him, and take a piece out of his mouth, it is then an unquestionable sign that the condition he died in was very happy; but if the timorous dog startles at the sight, or loaths the object, or being latterly well fed, has no stomach to that ordinary morsel, which he must snatch out of the dead man's jaws, the case then with him is desperate, and his state deplorable. The poor man whom I saw, was, by these prognostics, very miserable, for the sturdy cur would by no means be enticed to any distance near him. When the dog has finished his part of the ceremony, two Daroos, at a furlong's distance from the bier, stand up with joined hands, and loudly repeat, for near half an hour, a tedious form of prayer by heart; but with such a quick dispatch, that they scarce drew breath all the while, as if they had been under some inconceivable necessity of running over the words in such a time. All the while they were thus gabbling, a piece of white paper, fastened to each ear, across the face, hung down two or three inches below the chin; and as they ended their petitions, the Halalchors took up the corpse, and conveyed it to the repository, which was near, all the company ranking themselves by two and two, and followed it with joined hands. The place of sepulchre is in the fields, within a wall, built in form of a circle, about twelve feet high, and about an hundred in the circumference; in the middle of which was a door of stone, about six feet from the ground, which was open to admit the corpse. The ground, within the walls is raised above four feet, and made shelving towards the corner, that the filth and moisture, which are drained continually from the carcasses, may by an easy passage descend into a sink made in the middle to receive it. The corpse, therefore, was left here, and all the company departing thence, betook themselves to a rivulet that run near the place for ablution, to cleanse themselves from what defilements, on this melancholy occasion, they might have contracted, and retired afterwards to their proper habitations in the city, from whence this place is distant about a mile. But within the space of a day or two after, some of the nearest relatives return again hither, to observe which of the eyes of their deceased friend was first picked out by the hungry vultures; and if they find that the right eye was first seized on, this bodes undoubted happiness; if the left, they then are sorrowful, for that is a dreadful sign of his misery.

The Parsees are very nice in the preservation of their hair, and careful to preserve whatever is cut off their heads or beards, that nothing of it be lost or carelessly thrown about, but once a year be decently laid in their burying-place. A description of which, though it be drest with nothing but horror, yet may here properly be inserted.

The burying-place of the Parsees is an object of the most dreadful, and of the most horrid prospect in the world, and much more frightful than a field of slaughtered men. It contains a number of carcasses of very different disagreeable colours and aspects. Some are seen there bleeding fresh, but so torn by the vultures that crowd upon the walls, that they resemble that of a death's head, with the eye-balls out, and all the flesh upon the cheeks

cheeks picked off. And on the fleshy part of the body, where the ravenous bird tasted a more delicious morsel, are eaten several large holes, and all the skin on every part is mangled and torn by the sharp beaks of these devouring creatures. Here was a leg, and there an arm; here lay half, and there the quarter of a man. Some looked as if they were partly jelly, others were hardened like tanned leather, by the various operations of the sun and weather upon them. Here lay one picked as clean as a skeleton; near that another, with the skin in some parts green, in others yellow, and the whole so discoloured, as if all within were putrefaction. A sight terrible enough almost to affright an hungry vulture from his prey. But these birds are most delighted with these dismal objects, and that noisome smell, which evaporates from the dead corpse affords a pleasant odour to their senses. The stench of the bodies is intolerable, and of malignity sufficient to strike any man dead that would endure it; and yet the vultures chuse to sit to the leeward upon the wall, luxuriously to suck up and indulge their smell with these deadly foul vapours. Some of these glutted birds were so cloyed and crammed with human flesh, that they seemed scarce able to take wing, and the feathers of others were much moulted away, by this kind of rank feeding.

Besides the manner of burying, in use with the Parsees,* near Surat, there are other eastern nations who have peculiarly affected the entombing their dead bodies in animals. The inhabitants of Pegu reckon him happy, whose fate it is to be devoured by a crocodile. And the natives formerly, near the mouth of the Ganges, if weary of this life by sickness or old age, committed themselves to be devoured by the dogfish, as the safest passage to their future felicity.

Account of the HINDOO CITY *of* DHUBOY, *situated to the northward of Baroach.*

Dhuboy is an Hindoo city, that can boast of the most valuable remains of very remote antiquity. The fortifications which surround it, are nearly three miles in circumference; and the ancient parts that yet remain, are constructed in an elegant and costly manner, being formed entirely of a beautiful hewn stone, having a covered piaz-

za,

* Of this mode of burial, Sir JAMES MACINTOSH thus expresses himself:

"For nearly as the feelings, which produce this mode of disposing of the dead, approach to those which lead to the common practice of interment, there is, perhaps, none at which our habitual sentiments are more apt to revolt; but if our own mode of burial was a new practice, to be examined for the first time, it is not without circumstances abhorrent to their feelings, which might make it seem to be an obscure and gloomy imprisonment of the sacred remains of the dead."——"But a philosopher respects all the venerable forms of humanity, however various and unlike, reveres in them all the attempts to carry affection beyond the grave; an attempt, vain indeed, for the secondary and paltry objects of animal existence, but which is not vain, as part of that grand moral discipline, which humanizes the heart of man."

ga, supported by pillars and pilasters, that are formed of triangular stones, and are adorned by very curious sculpture.

The four principal entrances, or gates of the city, are yet more magnificently decorated, and exhibit a more expensive and valuable species of workmanship, particularly that which opens towards the east; this is called, by way of eminence, the gate of diamonds.

Many lacs of rupees were expended upon the decorations of this gate alone, and so great is the profusion of carved work and fine basso-relievos, that the most superficial and idle spectator, must of necessity be forcibly struck by its magnificent appearance.

Near the centre of this justly-celebrated city, a spacious tank, of the purest water, expands its broad and placid surface, which is adorned by several small but beautiful islands, bearing groves of trees, that are clothed by an eternal verdure.

This artificial tank is surrounded, for the greatest part, by flights of marble steps, which descend to the very bottom of the water. It was originally made for a reservoir, for the use of the inhabitants, and was formed at a vast expence. Notwithstanding it adorns the centre of a large city, containing many very considerable manufactures, the banks are ornamented by beautiful groves of mango, and tamarind trees, that suspend their luxurious foliage and fruits over the reflecting surface of the tank; while all around trees of the same species are seen overshadowing the Hindoo pagodas, and splendid houses of the Brahmins, who are a very numerous class of people in Dhuboy.

Under the grateful shade of these verdant canopies, the weavers fix their looms, and carry on various branches of the cotton manufacture; which, together with the surrounding objects, form a most pleasing and gratifying sight to a man who feels delight in the contemplation of earthly comfort, and of human happiness.

As the harmless inhabitants never persecute, or even molest, any part of the animal creation, the face of this beautiful tank is covered with large flocks of wild ducks, pelicans, and a variety of water fowl, which remain in perfect security, and feed unconscious of fear; while the trees are filled with peacocks, cranes, doves, and many other very beautiful birds; and thousands of monkeys jump about, and play their antic tricks, even on the very roofs of the houses. These animals swarm to such a degree, in the streets of Dhuboy, that they appear far more numerous than the other inhabitants.

The multiplicity of birds and monkeys, resident in Dhuboy, is owing to the universal protection that is afforded to them by the Hindus, who are the principal and most numerous inhabitants of the city; which is one of the most beautiful and interesting places in the east; and the appearance of so many animals, that in other places are wild, and will scarcely allow a stranger to approach them, but which are here so tame that they exist under the immediate power of the lords of the creation, forms a striking picture, and recals to the mind of the spectator, the beautiful allegory of man in a state of innocence; when surrounded by all the monsters of the forest, and the various species of the animated creation, without

fear

fear of danger, or dread of persecution.

The scite of this city is so extremely low, wet, and marshy, that the stranger is astonished how its early founders came to fix upon so disagreeable a spot (when compared with the delightful situations that almost every where surround it) for the foundation of so famed a city. But an account of its origin, which has been carefully handed down to the present generation, and which is generally believed by the inhabitants to be true, at once explains the cause.

It is said, that *Ruttanalee*, the favourite of the *emperor* of *Guzerat*, after having been barren for several years, became, at length, pregnant; a circumstance which increased the natural jealousy of the other ladies of the haram. In apprehension of the charms of sorcery being practised upon her, Ruttanalee requested of her sovereign permission to go a considerable way into the country, until the days of her travail should be passed.

The king immediately consented, and ordered a very numerous and splendid retinue to accompany her, together with every necessary, and luxury, she might want, and with this magnificent equipage, she set out from the imperial city of Guzerat, in order to sacrifice at a distant, but sacred temple of the Hindu gods, situated on the majestic Nerbudda.

After a very long, and tedious journey, she arrived, about the close of the day, at a hallowed grove, about ten miles distant from the temple to which she was travelling, and which was situated in the very spot, where the city of Dhuboy now stands. The dews of the night falling around, and the light of the day gradually giving place, to the increasing gloom of darkness, she ordered her camp to be fixed in the grove, for that night, intending to pursue her journey on the following morning.

While engaged in her evening devotions, in her own tent, an holy dervise, or faquir, who had long ago renounced all connections with the world, and who had, for many years, resided in the recesses of that grove, in a state of religious retirement, arrived at her camp, and requested an immediate audience with the princess.

Being admitted into her presence, he informed her, that the place upon which she had fixed her tent, was sacred and unpolluted ground, and that, if she remained there, she would, in a very few days, be delivered of a fine boy, that should be the delight and support of his country.

Ruttanalee, who had, from her infancy, been taught to place implicit confidence in the predictions of holy men, instantly determined to continue in her present encampment, and dismissed the dervise with many protestations of regard, and great fervency of gratitude, for his favourable prognostications.

The holy man's prophecy was actually fulfilled, in a very short period, and the delightful Ruttanalee was delivered of a most beauful prince, whom, at the particular request of the dervise, was named Vifeldow, or the long-expected child.

The happy news of the birth of a son was immediately conveyed to the imperial city, and so delighted was the monarch at these joyful tidings, that he instantly declared the young prince heir to the throne of Guzerat: and being informed that his beloved Rattanalee was charmed with the spot where she had been blessed, by the favouring gods,

gods, with a lovely boy, and was fearful of the jealousy of her rivals, at his court, and did not wish to return, he ordered a spacious tank to be formed, and sent skilful artificers, of every description, to build a large city, and surround it by strong fortifications; he also commanded the most eminent artists in his empire to decorate the new city, by every species of costly ornament.

Having collected together the most celebrated artizans, from every part of his dominions, he placed them under the direction and control of one architect, a man of remarkable abilities, and exquisite taste; who had the good fortune to live till this extraordinary work was completed, which has not only immortalized his fame, as one of the most mighty men that ever existed, but which has ever been considered, by the Hindus, as one of the most astonishing productions of one man's genius that the world has ever seen.

So many years were necessary to complete this immense work, that, by the time it was finished, the young prince, who had been born on its scite, had succeeded his distinguished father, as monarch, or rajah, of Guzerat, and he was so much pleased with the place of his nativity, that he made it the seat for those artists who had survived the undertaking, he gave them valuable presents, as tokens of his royal approbation, but wishing to reward the man, to whose very superior talents the city owed its greatest beauty and chief advantages above the rest, he desired him to name any reward for his services that he could bestow, and he should immediately have it.

The artist replied, that, being happy in the gracious favour of his sovereign, he wanted neither money nor jewels; but, as the place was yet without a name, he should deem it an high honour, and an adequate reward, for his labour, if he might be permitted to give it the title of his own, which was Dhuboy. The prince immediately gave his consent, and it ever has retained the same name, even unto this day.

MALACCA.

The following description of MALACCA *is given by an English voyager, recently employed in an Eastern survey.*

THE fort walls of Malacca were built by a colony from China, at least three hundred years before the Portuguese got possession of it, (1512.)

The walls are by no means so strong as is generally thought, but they serve to strike a terror into the Malays, who have a superstitious veneration for them, as some are said to worship the devil from fear. The works are now preparing to be blown up, mines are excavated along the side facing the sea, some of which are charged.

Two were exploded, with great skill and precision, on the 16th October last, 1807. The wall was turned over completely on both sides, with a very trifling explosion, and without injuring a building or a tree.

The country round Malacca, embracing a circumference of eight or ten

ten miles, from the fort, is a pleasant and most productive spot.

The rising grounds are barren and rocky, and the aclivities have been used by the Chinese for places of sepulture.

Redoubts are also raised on the Bocca China and St. John's. On the sides of the hills are innumerable trees, of a variety of species, including the sepharee, areca, or beetlenut tree, and the fences of their fields are bamboo, rattan, acacia, &c.

Since the British took possession of the place, in August, 1795, the vallies produce rice and sugar-canes in great abundance; the cultivation of which, under a settled and permanent state of government, might be much extended.

The pulse and fruit brought to to the bazar for the shipping are produced in the gardens of the families, whose small houses and gardens, left them by their ancestors, supply the only means of their subsistence.

The revenues brought to the company 80,000 dollars a year for land, rents, taxes, and the customs. The customs are farmed, and there is a considerable trade with the Buggees from Borneo, in the season between the monsoons. They also trade with Sumatra, Rhio, and many of the rivers of the Peninsula, both to the E. and W. and have frequent communication with Java, whence they receive teak wood, pepper, &c. &c. and they get spars fit for masts from Siack and Arroe; but these growing in a low marshy country are of inferior quality. In the river, which runs close by the fort walls, small vessels, (120 tons) have been built. They have good timber, including what they get from Samarang or Java, and intelligent carpenters. Under the lee of the island, nearest to the fort, they have a kind of harbour, where, in the S. W. monsoon, they can carry and secure vessels drawing sixteen feet.

The cultivators, sugar-makers, distillers, and farmers of the customs, are Chinese.

Memoranda, given by DR. WALKER, *professor of Natural History, Edinburgh, to a young gentleman going to India.*

1. To be provided with a good Farenheit's thermometer, inclosed in a glass tube, that can be laid in water, for taking the heat of the sea in different latitudes, and especially for taking the heat of springs in India, whenever you may meet with them.

2. To be careful to pick up at sea, all sea-weeds, and marine animals, that come within reach of the ship, and to dry and preserve them in paper or otherwise.

3. To be attentive to all birds that are to be seen from the ship; to mark the English, or other names, by which they are known among the sailors, and the latitudes where they first appear and disappear.

4. To keep a regular journal from day to day, including the above, and all other observations in natural history, that may occur, particularly any remarkable appearances in the weather, respecting

ing the winds, rains, thunder and lightning, calms, tornadoes, whirlwinds, or water-spouts.

5. To notice the alterations in the colour of the sea, and, if possible, the causes from whence they proceed; especially the colours proceeding from minute animals, with a description of these animals.

6. On approaching the Cape of Good Hope, the Cape pigeons, or pinto birds, are numerous: it would be worth while, if opportunity offers, to preserve one or two of them by stuffing their skins, and to mark what distance from the Cape they are first seen, and when they first disappear.

7. The head, jaws, or teeth, of the different species of sharks, that may be caught upon the voyage, to be preserved.

8. Also the different flying fishes.

9. It is much to be wished, that one of the small fishes, which always accompany the blue shark, called the pilot fish, might be caught and preserved.

10. Wherever the cable or sounding line is used, it should be carefully examined, when hove into the ship, as there are frequently found curious animals adhering to both.

11. Between the Cape and Madagascar, and in other parts of the India voyage, various sea-animals can be easily taken on board, such as what the sailors call Portuguese men of war, and others, to be preserved, if possible, in paper or in spirits.

12. If the ship touches either at Madagascar or the island of Johanna, there are many curious fossils, plants, and animals, which may be preserved.

13. At Bombay many interesting articles may be obtained, which are there articles of commerce, from Surat and the Gulph of Persia:—Drugs, the different gums and resins, the largest pearl oysters, or mother of pearl, and tortoise shells; the sandalum album, or white sandal wood, and ebony: the fine red Persian ochre, called at Bombay *Indian red*: the skins of the zebra, Persian lamb-skins, jackall, leopard, panthers, and other Asiatic quadrupeds; also the horns, and, if possible, the heads, of the different antelopes and gazelles.

14. At Bombay, Madras, and Calcutta, to collect specimens of every fossil, even of the most common, that come within reach. To visit often the shops of the lapidaries, where all the finest lethidia, chalcedony, cornelia, onyx, sardonix, agate, mocho, &c. are cut in great quantities, and sold very cheap.

15. To enquire at Madras concerning the cochineal discovered by Dr. Anderson, and to preserve and send home the species of grass on which it feeds.

16. At Calcutta, to preserve good specimens with the flower of all the important plants of the country, and as much of their history as possible.

17. To be attentive especially to all the productions of China which may be brought there, whether fossil, vegetable, or animal.

18. To collect at Calcutta, shells, corals, corallines, sponges, and other fine marine productions, which are brought there from all parts of India.

19. To collect all the fine insects, wherever they occur. Fine collections are to be purchased at an easy rate. I should particularly recommend preserving them in paper books, in preference to preserving

preserving them loose, or upon pins. The fresh insect may be placed in folds of paper, and pressed, for a day or two, with a sufficient weight, when they will be dry and sufficiently prepared; even those which have been preserved on pins, when put for two minutes in spirits, may then be pressed and dried in the same manner.

20. To inquire particularly at Calcutta concerning the great quadrupeds, called, by the English, a buffalo, but by the natives the arnee. It does not come lower upon the Ganges than about the plain of Plassey. It is said to be about fourteen feet high, and is a superb animal, whose history is as yet unknown in Europe. As also every particular that can be learned concerning the Chittagong cows, whose tails are used as fly flaps in India.

21. To pick up, as often as you can find them, skins of all quadrupeds, especially those animals noted for any valuable peculiarity; being very careful to mark down as many particulars respecting their natural history, as you can learn, and the uses that are made of them in the economy or arts. These skins, if dried, and laid back to back, with some ground pepper between them, and a few small grains of camphor, may be easily brought safe to Europe.

CHARAC

CHARACTERS.

Biographical Memoir of Captain George Nicholas Hardinge, *late of his Majesty's Frigate,* San Fiorenzo.

On reading and admiring the most brilliant, and, alas! the last, exploit of this gallant officer, recorded in the earlier pages of the present volume, the editor had resolved on searching for materials for a short memoir of his life, intended as a frail tribute to departed heroism, and as a stimulus, if any were wanting, to youthful daring and achievement. After some success in his research, and progress in his ulterior intention, he discovered that he had been anticipated, both in his design and labour, and that a suitable monument had been raised to the victorious commander of the San Fiorenzo, by a pious and affectionate care, directed—how rare the example!—by equal judgment and taste. The Editor of the Asiatic Register, despairing to add a single novelty or grace to the Character, which he was desirous of delineating, adopts the following most happy likeness of the hero, taken from near observation, and a yet closer study of the subject represented. It was first exhibited in the *Naval Chronicle*, of which it is no mean praise, among many other commendations well due to it, to say—that it produced this original article of biography.

"——— As *gentle* as the zephyr
Below the violet;—and yet as *rough*
As the rud'st wind that by the top doth take
The mountain pine, and make it stoop to th' vale."

Shakespear.

Of this naval hero's life no historical record will or can be exempted from that pride of the historian who knew him the best, which the hero deprecated in the partialities of those he loved, and who loved him.

Pride he certainly possessed, but it was of the noblest kind; it prompted him to disdain a mean act, or a selfish thought. But no gallant spirit was ever more elevated above the vanity of self-applause. He was even so modest as to give himself no credit for the sentiment, or the habit, of that modesty itself, as a virtue.

It shall be my ambition to give a picture of him, and from the life, under the discipline of this check upon my own pride; though such a love as I bore to him neither hopes nor wishes to be disinterested. But zeal for the memory of a character so dear to me would be miscalculated, if it could violate those principles

principles of honour which it was the uniform habits of his life to revere.

It will not fail to be observed, that I have departed from the usage which has confined these memoirs to naval incident and character: yet I am not without hope that it will be forgiven, if the moral and social features of the same portrait are not only interesting, but cannot be separated from the naval picture without prejudice to its effect and spirit.

I may also be accused of dwelling upon some of these personal topics, when they are too minute for an epitome like this. But here again I shall feel no despair of indulgence, if it shall appear, as I think it will, that every such detail throws a new light upon essential features of the character.

George Nicholas Hardinge was born upon the 11th of April, 1781, at Kingston-upon-Thames. He was the second of many sons, to the Rev. Henry Hardinge, now rector of Stanhope, in the county of Durham, then vicar of Kingston. His mother is a daughter of the late James Best, Esq. of Boxley, and of Chatham, in Kent.

Henry Hardinge is the second of three (surviving) sons to the late Nicholas Hardinge, Esq. of Canbury House, near Kingston-upon-Thames, who was, for several years, first clerk to the House of Commons, and, at a later period, became joint secretary of the Treasury, in which post he died, A. D. 1758.

Jane Hardinge, his widow, sister of the late Earl Camden, survived her husband for almost half a century, and closed her interesting life in her 89th year, May 17, A. D. 1808.

George Hardinge, Esq. one of the judges in Wales, and her Majesty's attorney-general, is Henry's eldest brother. He was godfather to this nephew, and adopted him, when a child, into his own family. With his brother Henry's consent, he took upon him the parental office of educating his favourite, and sent him to Eton school at the age of nine or ten years. He designed him for his own profession of the law.

In this early period his parts, though bright in some views of them, were, in general, more lively than solid; and almost in the same proportion that he was admired for his wit, he was deficient in learning, or in the memory of serious impressions. He was averse to all study, and gave no promise, either of talents, or of ambition to acquire useful knowledge.

But his countenance was uncommonly beautiful, and his manners, (though undisciplined) were so prepossessing, that he was, perhaps, too general a favourite. His uncle has confessed, that "he loved him in those days, *not wisely, but too well.*"

He had a peculiar turn for humour, and made acute remarks, though in a desultory manner. But in those early and playful habits, none who saw much of him, could fail to discern a character of independent spirit, and that affectionate warmth of heart, which became, in the sequel of his life, a ruling principle of its character.

He was, however, too ungovernable, and was too much his own master, to encourage the hope that he would acquire stability enough to cultivate his talents for learning of any kind, if he possessed them; a point upon which doubts were entertained by some of his relations, indeed by most of them, but none by the writer of this memoir.

At

At the age of eleven or twelve, he took up and pursued a moft violent impulse to the sea. It arose in part, from conversations, when at home, with his uncle Richard, now Sir Richard Hardinge, Bart. then a captain of an East Indiaman; but it commenced in the advice, rather playfully than seriously intimated, by Sir John Borlase Warren, who saw him, accidentally, at Eton school, and assured him, that "he was better calculated for a naval hero than for a lawyer." It was, however, attributed, in part, by his relations, to a dislike of school and of learning, which had become disgracefully obstinate.

Under that last impression, before the lot was determined, they reasoned with him in a dispassionate and serious manner, by laying open to him, without reserve, the subordination, the labours, and the perils of the naval service. He persevered, and was firm to his text. He made this element his deliberate choice, in a tone of such manly and reasoning spirit, that he carried his point with flying colours.

He became, in 1793, a midshipman on board the Meleager, Captain Charles Tyler, now the rear-admiral of that name; an officer as much revered and beloved as the naval service could ever boast; a man of perfect honour, and of the most engaging manners, who combined in his character the hero and the gentleman.

The writer of this memoir accompanied the new officer to a parting dinner, at a whimsical inn, (quite new to *him*) the Golden Cross, Charing Cross. In the midst of the repast, his young friend's naval hat was brought into the room. He left the table to put it on, presented himself to the looking-glass, and *could eat no more.* This was naval pride, it was not personal vanity.

It was to the animating and graceful example, as well as the parental solicitude of his captain, that his relations have ascribed the wonderful change which five years produced in the colour and stamp of his mind.

He was to accompany that experienced, able, and spirited officer, Lord Hood, into the Mediterranean, as part of his fleet. This was another and peculiar advantage to his naval school.

At first, even after he had thus embarked in the service, and with such avidity, he took a dislike to it, (with caprice like that of boys, and especially those who have been so indulged;) he complained of it peevishly, and wished himself at home again, that is, he wished himself—not more admired and caressed, (for so far he found the home which he had left, in the ship itself;) but less controlled. But when this (fugitive) impression was obliterated from his mind, by the affectionate, though firm, conduct of his *naval parent*, and when that mind began to explore its own powers, the character of it was *new made*; it became distinguished, not by courage alone, but even by talent, engrafted upon the habit of diligence, and upon a high spirit of ambition to excel, which ripened the dormant resources of an admirable capacity. I remember that he said, at an early period, "I had rather serve under a captain or an admiral of a marked character, than make a fortune early or late in the common routine. I have an ambition to see great abilities near me, in hopes to improve myself by observing them." He made himself an adept in the tactics of his profession: he loved its enterprize, and

and he encountered all its perils with a naval hero's disciplined valour.

This reminds me of a conversation which passed a little before he sailed, between him and one of his relations:—"You hate all study, and you love to have your own way; how comes it, that you have chosen the sea, where, if you don't study, and if you don't give up your own will to your superiors, you will make no figure and be disgraced?"—"I hate all study at school, and would never have learnt any thing, if I had been left at Eton; but; if I *must* read, and *must* be governed *at sea*, to be a *good officer*, I *will* read, and I *will* be governed."

He remained in actual service, almost unremitted, for those critically interesting years of his life; a part of it was occupied in the able and gallant assistance of Lord Hood, and of the naval armament under him, to the Corsicans, A.D. 1794. Upon the occasion of those incidents, he wrote a letter, still preserved by his correspondent, in which he gave a lively, but at the same time an able and luminous report of the enterprize. It was accompanied by a rough but spirited sketch of a naval manœuvre, in elevating cannon from the ships to an eminence, of stupendous height, upon cliffs almost perpendicular. In this letter he first marked the peculiar eloquence of style, upon serious topics, which never deserted him in the sequel of his life. Many of his letters to his friends are beautiful compositions.

Mr. Pitt saw the letter from Corsica, was delighted with it, and said, that "it was a most extraordinary performance at so youthful an age." Indeed, of an earlier date was a letter of his pen conceived and expressed in a manner very superior to his time of life, and in the same line of description, with a difference that marked something better than style or spirit—the compassionate benevolence of his nature. It was a most pathetic recital, of an accident that befel the Alcide, after she had struck to our fleet: she caught fire, and could not be saved. The men jumped overboard by hundreds; four hundred at least were either burnt or drowned: the sea was covered by dead bodies; and she then blew up in a most tremendous manner. All our ships put their boats out, in hopes to save those who were alive and clinging to the wreck. Those who were caught up in time, and were taken on board, were so overjoyed as to fall into fits: and when they had recovered, could not find words to express their gratitude. Under such examples he learnt humanity as well as courage.

Before these Corsican adventures took place, the Meleager had not been idle or obscure. She was the first that sailed into the port of Toulon.

In Corsica, the services of Captain Tyler were so distinguished, that when la Minerve, a 40 gun frigate, had been captured, had been sunk, and (chiefly by *his* exertions) had been weighed up again, the command of her was given to him.* She acquired the name of the San Fiorenzo, in honour to the Corsican town and fort of that name. To that newly-acquired vessel the midshipman was transferred.

Who

* This was in March, 1794.

Who can abstain from a tear, when told, that he had *then* reached half the period of his life?—that he was doomed, in his 27th year, to fall as the commander of that identical frigate, in a distant sea, in a different quarter of the world, and in a victorious conflict, "*Second* (as General Maitland observes) *to none that our annals can boast?*"

Having passed the remainder of that year in the San Fiorenzo, he served, under the same captain, who never could part with him, on board the Diomede, a 64. In 1795 she formed a part of Sir William (now Lord) Hotham's fleet, and was engaged in the action which had the effect of cutting off the Ca-ira, of 80 guns, and the Censeur, of 74. The success of that enterpize was partial; but this defect arose from the enemy's conduct, who, though in a full state of preparation, would not meet our squadron, which had undergone the severe discipline of its Mediterranean service, yet had courted them to a battle, which they declined. The naval conduct on our part was honoured by a vote of thanks in both houses of Parliament.

Our midshipman had served in other actions prior to this. In the very first of them his captain used these memorable words—"*My two boys* behaved like veterans." The other "*boy*" was Roger Savage, now a post captain. They were bosom friends, and both of them reflected honour upon him, who loved them as if they had been his own sons, and was loved as a parent by them.

A little anecdote may be here related, as tending to display the character of the youthful hero. While in the Mediterranean, he met with an accident, which he related in the margin, at the end of a long and amusing letter to one of his relations, and the marginal addition written in a hand so diminutive as with difficulty to be read: —"*By the way*, I forgot to tell you that I have lost the joint of a middle finger, by an accident in returning to the ship."

When upon the Italian coast, and at rest from active service, he enjoyed the peculiar advantage of going on shore to Naples, where Sir William Hamilton (one of the most courteous and accomplished of men), received him in a manner the kindest imaginable. He took the opportunity of these and of similar excursions, to furnish his attentive and curious mind with an ample store of general knowledge, of experience, and of discernment into the characters of men, very singular in his profession, and at his age. He acquired even a taste for *the arts*. Having a most powerful memory, he retained with clearness and precision whatever images had glanced upon him. At other times, and on board, he had read modern history, and had become so versed in it, as never to be at a loss in recurring to its prominent features and revolutions.

He returned home to England in the spring of 1798, before he had reached his eighteenth year; and such an improvement was never achieved by that glorious element, the sea. Instead of the volatile, the undisciplined, rude, and childish boy, he returned, a youth, full of high spirit, but unassuming, discreet in his behaviour, pleasing in his manners, affectionately benevolent, remarkably sensible, and well informed.

His countenance, and even the cast of his features, had become so entirely changed, that not a soul would

would have known him to be the same, by a shadow of resemblance in the *man* to the *boy*. His relations playfully called him "*the impostor*," and he took the name: he sometimes varied the description, and signed, *Máhomet*. His manners won every heart. Though his uncommon beauty when a boy was no longer to be seen, it left him the better substitute of a most interesting countenance, which united the character of animated sense to a benevolent expression, the faithful interpreter of an affectionate and glowing heart.

He was not on shore above a month or two in England, before he was called into naval service again, but under the same captain, on board the Aigle frigate, and (with his friend Savage) accompanied him in his way to the east. Upon the Isle of Planes, off the African coast, he was wrecked, on board that frigate, and barely escaped with his life. He wrote an account of this calamity, in a tone of modest and Christian heroism, which gave the unequivocal impression of a serious and well-disciplined courage.

He was for a little time shifted on board the Excellent, and then received as an occasional guest by the Earl of St. Vincent (his commander-in-chief), who took what is called a fancy to him, conceived a partiality for him, and marked it in the most playful manner. "Your uncle," said he, "has recommended you to me; but *never mind him*; and when you are asked who you are, say, you are my son." These *partialities*, if they must be so called, of that acute and sagacious mind, had the felicity, in general, to be so well placed, as to look very like prophetic discoveries of anticipated genius and spirit in his favourites.

He detained him but a little time; and in order to furnish a better opportunity for enterprize, placed him on board the Theseus, Captain Miller, who perished at the siege of Acre, universally regretted. Our hero was in the very ship at the time of its fatal explosion: he was going to the cabin—a few steps further would have made *him* another victim of that awful and lamented catastrophe. During this memorable siege, which recalled the days of chivalry, he was employed in the command of a gunboat, and was honoured with public thanks by the hero of that brilliant service. He was, after the loss of Captain Miller, for some little time on board the Tigre, Sir Sydney Smith, and was off Alexandria when he received his commission as lieutenant*. On account of this rank, and of his local services upon that coast, he was honoured with a gold medal.

He was then ordered home, and put on board the Foudroyant, as a supernumerary lieutenant. There he took part in the celebrated action with the Guillaume Tell.

Upon the 22d of March, 1801, we find him at Minorca, on board the anta Teresa. At that time it appears that he solicited from Lord Keith a first lieutenant's appointment on board a war-sloop, named by himself. Lord Keith promised compliance with his request; if he chose to remain in that part of the world; but acquainted him, that Lord Spencer had wished him nearer home, at the request of his friends. In consequence of that hint, of course, he returned, but more

* It was dated the 15th of October, 1800.

more and more improved in the wisdom of professional experience, and the discipline of public spirit.

The same Captain Tyler, whose punctual and sacred fidelity in early days induced him to complain of *the boy*, gave the highest character of the *man*, to the writer of this memoir, and represented him as *then* equal to the command of a seventy-four.

Soon after his return, a fortunate accident presented him to the notice and friendship of a lady, in the circle of his connections, than whom none of her sex was ever more accomplished, and more acute in the discernment of character, more polished by elegant manners, and more endeared by the moral graces of the heart.

A letter of her pen gives, in the most eloquent colours, a picture of his young friend, as drawn by her, 1801. It must not be withheld from the reader, nor the unequivocal test of its fidelity, in the resemblance, marked by a *second portrait* of him, which the same glowing pencil has recently touched, and without a conception that we had kept the *first*.

(COPY.)—1801.

"You want my opinion of George, and I am happy to give it you: I have had much conversation with him, which has enabled me to discover his merits, for he is very modest. He appears to more advantage when he his known.

"As far as I could judge, he is remarkably sensible, and blessed with a powerful steadiness of understanding, like that of his grandmother; he has an excellent command of language, when he is quite at his ease, and very uncommon clearness of apprehension: he has the occasional embarrassment of diffidence, and appears to have entertained the opinion, that he wants the polish of manners to render him acceptable; but in my judgment he is more interesting, upon account of this very defect, as far as it extends. He has quite lost that style of delicate beauty which he possessed when a boy, which alarmed me for him, and which now would ill become so manly a character: but his admirable heart glows in one of the finest countenances I ever beheld. For wit, I think, he has more of habitual admiration than of natural taste; for he is of a serious and rather a contemplative turn,* though he has a fund of animal spirits to enliven it.

"As to his principles, they are inimitable: he has been tried in the first and severest probation of his virtue; but he has profited by it, for his eternal welfare.

"In Italy he acquired a real, though manly, taste for the arts, and seems to have lost no opportunity of making himself acquainted with every circumstance worth his knowledge, in the various countries which his professional duties, or, I should rather say, his excursions from them, have enabled him to visit. He has inherited the *family talent*, and his memory is like a charm in its powers; nothing escapes from it.

"These gifts and these attainments have made him a very interesting companion; and I never have regretted any thing more in my life than our separation: but he will have my good wishes through every future step of his career.

"I can assure you, that he is a just object of all the love you can spare to him, and that you cannot love him so much as he loves you."

This was in 1801, before he had signalized his naval heroism in the command of a ship, though he had even then marked his genius and his courage.

* I never adopted that opinion, but I could account for it, as entertained *by her*; for as he revered her, and as her spirits, naturally cheerful, had received a more serious cast from the loss of a dear friend, I have no doubt that from delicacy to her, he was upon his guard against the unseasonable indulgence of this propensity *with her*. Attentions like these were familiar to him.

Her

Her letter of August, 1808, since we knew we had lost our hero, will, in the coincidence of many features, authenticate the good faith of the earlier portrait, though with different shades, arising from different views of the life it copied.

August, 1808.

"I had the good fortune (and I call it still by that name), to pass a week in his charming society and was much alone with him: I discovered in him then, as far as I could presume to judge, a depth of solid understanding, which resembled that of the late Mrs. Hardinge, who lives in all our memories—engaging manners—a high sense of honour in every thing—a noble way of thinking, and principles of gratitude, beyond any which I had ever observed in a human creature, especially at his age. His excellent capacity had been improved by a fund of general knowledge, very singular I believe in his profession. His temper was gentle, and his heart was no less affectionate than it was elevated by the heroism of public spirit."

In 1802 he made a tour with a relation to the Lakes, and made *friends* of all to whom he was introduced as a *guest*. If the reader could have seen their expressions of regret, he would have supposed them relations, or attached by the habits of a most affectionate intercourse. He was the joy and pride of almost every heart that he found in his way.

Amongst them was the Bishop of Llandaff, who was delighted with him, and formed a very high impression of him, not as a hero, but as a young man of enlightened intellect, and of an open heart.

A circumstance recurs to me, which appears to be worth relating, as it marks the powers of memory, and of observation, familiar to this youthful scholar, entirely self-taught. He was no Latinist, but he had picked up in translation many interesting passages of the Latin poets. One day, the bishop made a remark upon the oak, and his young visitor asked him, with blushing humility, "if it was true, as Virgil said, that an oak rose above the earth, in proportion to the depth of its root." The Bishop turning from him to his relation, said: "That young man has a very intelligent mind; he has read Virgil to good account, and as every book *should* be read." His relation smiled, and said, "My lord you'll think him an impostor, if I don't undeceive you; he has read no Virgil, but in Dryden."

This admired prelate's letter upon the subject of his death will be annexed.

Earl St. Vincent had become first lord of the Admiralty. He retained his predilection for the midshipman, though he had never met with him since they parted in the Mediterranean. But he justified the impression which he had formed of him (in that short and fugitive intercourse) by a marked *éloge* upon him, to me, as resulting from what he had recently heard of him, as well as from his own comments upon him when they had been at sea together. He called him a "*noble creature*," and said, "if I live, and keep my office, he shall not complain that I desert him."*

What an amiable picture of encouragement for youthful enterprize, and of countenance to inferior officers! Under impressions like these, when I had scarcely any acquaintance with him, and solicited by no political interest, he obtained for him, in May, 1802, the rank of master and commander,

* Like an affectionate parent, he kept him close to the habits of the service, and *whipt him off*, as he expressed it himself, to a ship. It was the Sirius, Captain King, of Plymouth.

der, which he followed up with an appointment, as captain of the Terror bomb, in March, 1803.

He had scarcely been fledged in this command, before he made himself the favourite of Captain Owen, whom to name, is to supersede the necessity of recording his talents and spirit. Under that enterprizing officer he had the honour to serve, and spoke of him in the most glowing terms of panegyric. I cannot forbear in this place to give a little specimen of his youthful style, in its comic playfulness. In one of his letters to a sister, whom he loved beyond expression, he marked at the same time his contempt for gasconade, and his turn for humour. It was meant as a banter upon some of the gazettes. After he had paid (in a serious part of the same letter) just homage to this admired officer, he adds the followin *report :*

(COPY.)

Terror, off Boulogne, Aug. 1810.

We have knocked a few houses down—
——— Killed—fifty or sixty old women!
——— Lost—all our crockery and glass!
Deafened by the mortars for a week!

The Captain of the Terror.

But in the following September, he signalized his valour, skill, and judgment, under that accomplished and most able officer, Sir James Saumarez; who, in the *London Gazette* of September, 1803, spoke of him in the following terms :—" The various services on which Captain Macleod, of the Sulphur, and Captain Hardinge, of the Terror, have been employed, have been already sufficiently known : but I will venture to assert, that in no one instance could they have displayed greater zeal and gallantry than on the present occasion.*

It is evident, from the admiral's allusion to the *former* services of Captain Hardinge, that he had *then* obtained a high character.

The Earl of St. Vincent was much pleased that his favourite had begun so well. In a letter to a relation, dated September 24, 1803, the captain says that " * * * *, who never loses, for a moment, the sight of his interest or of his credit, has received a letter from Earl St. Vincent, which honours and gratifies him by marking, in the kindest manner, that he is affectionately interested for his welfare."

It happened, that by these exertions in the attack upon Granville, the Terror became so crippled, as to be of no farther use for active and foreign service : she was turned, as he expressed it, into a *sea watchman*, being only used for signals.

Before he had acquired this notice in the Gazette, and before he had served under Captain Owen, he had been stationed off Ramsgate, when the Princess of Wales passed the summer there. Her royal highness honoured him with her countenance and protection, which at a later period was renewed in the most gracious manner. These obligations were conferred upon a mind in which the memory and grateful sense of them were never obliterated.

At a late period of 1803, or in January, 1804, he was appointed captain of a newly-built sloop of war, the Scorpion, of 18 guns.

Here two circumstances deserve to be related :—(1) the captain, when serving on board the Terror as

* The circumstance to which the letter of Sir J. Saumarez relates, was the bombardment of Granville.

as a signal ship, had very often heard of this vessel, as a favourite of many competitors. He told his relations (in his playful style) how "*desirable*" she was; and would often say, "*that he dreamt of her.*" One of them, who was *upon the alert*, applied for it, and was told by Lord St. Vincent, "that he could not gratify him by giving him that ship at *his* request, inasmuch as it was pre-engaged, and was intended for *Captain Hardinge, of the Terror.*" With such playful manners he improved, by seeming to lessen, the value of the gift. He added, "that no hint of it was to be given, till the appointment coul be officially notified." This injunction was obeyed, and the (*enamoured*) captain had begun to despair, when he had in fact obtained his prize.

(2.) Though delighted with his acquisition, he was averse to the North Sea, and he desired his relations to obtain for him, if they could, any other destination. They would not gratify him, or even make his request known to his patron. This want of courtesy to his claims upon them had a most fortunate result for his credit and for his advancement. It marks the wisdom of accepting without reserve, and without hesitation, whatever naval appointment happens to be offered.

I shall enliven the narrative, and give a picture of his comic style, and of his manly character. Perhaps it may not be impertinent here to give his own words, because they mark the humour, as well as the disciplined spirit of his mind:—"You have misunderstood me if you think I can hesitate or complain, or 'intimate undue preferences,' which are your words: whatever scene of action or of tamer service may be destined for me by superiors, I know that some are to accept these duties, and must of course, expect them as well as my neighbours. But as to wishes or preferences of taste, we must all of us have them as well as *Archer*, who did not like *pig*.—If Tamerlane should come to us that way, I should like this very scene the best."

He had scarcely arrived off the Texel, under Admiral Thornborough, before he captured the Dutch war-sloop Atalante, under circumstances of such heroism, ability, and persevering spirit, that he was expressly made a post captain for it, and obtained a sword of a hundred guineas value, the almost immediate gift of the committee at Lloyd's coffee-house.*

The letter of Captain Hardinge to Admiral Thornborough was of *Spartan* brevity; but in an epistle to one of his relations he gave scope to his feelings. I am happy to supply this popular and circulated record of naval characters with a copy of that most affecting picture. The person to whom it was addressed, has often said, "*that he ought then to have died of his joy.* But he was reserved for more laurels of the hero whom he loved, and for the doom, to survive—not *them*, for *they* are living—but the hero himself, who, except in his fame, breathes no more. It must not a little interest the reader's pride, *as an Englishman*, that such a letter as that of Lord Keith should have been written. What an encouragement is there given to youth, valour, and modesty! How is the policy of the service improved, since the rigid asperities of the naval

* Captain Hardinge was made post on the 16th of April, 1804.

naval character, in men of such high professional rank, has been thus exchanged for the delicacy of those attentions to the rising fame of a gallant spirit! It was in Lord Keith an impression of the moment, as attracted by the humble and silent claim of a boy in years, to whom he had no personal attachment, or to any of his connections:—

"Although," said his lordship, "the brilliancy of this service can receive no additional lustre from any commendation it is in my power to bestow, I obey the dictates, both of duty and of inclination, in recommending the distinguished services of Captains Hardinge and Pelly, and of the officers and men employed under them, to the consideration of their lordships, who will not fail to observe the delicacy with which Captain Hardinge refrains, in his narrative to Admiral Thornborough, from any mention whatever of himself; nor to recollect, that Captain Pelly was promoted to the rank of a commander, in consequence of his having been severely wounded, in the performance of his duty before Boulogne."

The letter of Admiral Thornborough is penned in the same kind and liberal spirit.---The following is Captain Hardinge's letter to his friend:---

(COPY.)

"Scorpion, April, 1804.

"My ever dearest Friend,

"I am on my way to the Nore, after six days of severe, but unrepented fatigue, and have sixty Dutch prisoners on board. We are accompanied by the Atalante, a Dutch war-brig, of sixteen guns, prize to us.

"I was ordered on the 28th to reconnoitre at Vlie, and perceived a couple of the enemy's brigs at anchor in the roads: despairing to reach them with my ship, on account of the shoals that surrounded the entrance, I determined upon a dash at the outermost one in the boats, if a good opportunity could be found or made. It came, unsolicited, March 31. Preparing to embark, we accidentally were joined by the Beaver sloop, who offered us her boats, to act in concert with ours: we accepted the reinforcement, under an impression, that it would spare lives on both sides, and would shorten the contest. At half-past nine in the evening, we began the enterprize. Captain Pelly, an intelligent and spirited officer, did me the honour to serve under me, as a volunteer, in one of his boats. We had near sixty men, including officers, headed by your humble servant, in the foremost boat. As we rowed with tide flood, we arrived alongside the enemy at half-past eleven. I had the good fortune, or (as by some it has been considered) the honour, to be the first man who boarded her. She was prepared for us, with board-nettings up, and with all the other customary implements of defence. But the noise and the alarm, &c. &c.† so intimidated her crew, that many of them ran below in a panic, leaving to us the painful task of combating those whom we respected the most.

"The decks were slippery, in consequence of rain; so that grappling with my first opponent, a mate of the watch, I fell, but recovered my position, fought him upon equal terms, and killed him. I then engaged the captain, as brave a man as any service ever boasted; he had almost killed one of my seamen. To my shame be it spoken, he disarmed me, and was on the point of killing me, when a seaman* of mine came up, rescued me at the peril of his own life, and enabled me to recover my sword.

"At this time all the men were come from the boats, and were in possession of the deck. Two were going to fall upon the captain at once. I ran up†—held them back—and then adjured him to accept quarter. With inflexible heroism, he disdained the gift, kept us at bay, and compelled us to kill him. He fell, covered with honourable wounds.

"The

† This &c. &c. is full of character.

* He thought so when he wrote, but it proved upon inquiry to be a mistake. Mr. Williams, the master, had this honour, and was proud of it. Captain Hardinge desired him to accept the sword he had used in the enterprize.

† This would make a subject for a picture.

" The vessel was ours, and we secured the hatches, which, headed by a lieutenant, who has received a desperate wound, they attempted repeatedly to force.

" Thus far we had been fortunate; but we had another enemy to fight: it was the element; a sudden gale, had shifted against us, impeded all the efforts we could make; but as we had made the capture, we determined, at all events, to sustain it, or to perish. We made the Dutch below surrender; put forty of them in their own irons, and stationed our men to their guns; brought the powder up, and made all the necessary arrangements to attack the other brig. But as the day broke, and without abatement of the wind, she was off, at such a distance, and in such a position, that we had no chance to reach her. In this extremity of peril we remained eight-and-forty hours.—Two of the boats had broken adrift from us, and two had swampt along-side; the wind shifted again, and we made a push to extricate ourselves, but found the navigation so difficult, that it required the intense labour of three days to accomplish it. We carried the point at last, and were commended by the admiral for our perseverance.

" You will see in the Gazette my letter to him: I aimed at modesty, and am a little afraid, that in pursuit of that object, I may have left material facts a little too indefinite, if not obscure.

" The Atalante's captain, and four others, are killed; eleven are wounded, and so dreadfully, that our surgeon thinks every one of them will die.

" To the end of my existence I shall regret the captain. He was a perfect hero; and if his crew had been like him, critical, indeed, would have been our peril.

" The Atalante is much larger than my vessel, and she mounted sixteen long twelve-pounders: we have not a single brig that is equal to that calibre. Her intended complement was two hundred men, but she had only, as it happened, seventy-six on board.

" I expect your joy by the return of post—ever affectionately and gratefully your's,

" G. N. HARDINGE.

" P. S. In two days after the captain's death he was buried, with all the naval honours in my power to bestow upon him. During the ceremony of his interment, the English colours disappeared, and the Dutch were hoisted in their place. All the Dutch prisoners were liberated; one of them delivered an *éloge* upon the hero they had lost, and we fired three vollies over him as he descended into the deep."

This admirable detail of the enterprise is the more necessary to be circulated, because it will correct and refute a most injurious misconception of the Dutch captain's death and character, which found its way into some of the newspapers. It was there asserted, that he answered the overture of quarter made him by Captain Hardinge, with a pistol, which he fired at his head, and that he was then killed by the sword of the person whose life he had so ungratefully endangered.

I shall now offer to superior judgments a remark or two upon the enterprise itself.

The direction of the admiral was only " *to look and report.*" It was answered by the *capture*.

It is the almost universal habit for the captain, when his boats are detached for the purpose of boarding, to remain in the ship: nor am I aware of a departure from that usage, but in the memorable and glorious capture of the Hermione, by Sir Edward Hamilton. The conduct, therefore, of Captain Hardinge, in heading the enterprise, and in being the first man who boarded the enemy, at the risk of censure if he had failed, is a feature of true heroism, and public spirit.

When the right, and the well-grounded expectation of an obstinate resistance by two hundred men, prepared for defence, are taken into the calculation of peril, the valour of the achievement is more elevated still.

But,

But, above all, the goodness of heart, which laments over the adversary, and makes *him* the hero, cannot be too much admired or emulated. I have seen the tear in his eye upon the subject; and the memory of it oppressed him, as if he had lost a relation or friend whom he loved.

This private letter is the best of all portraits: it was written to a bosom friend, and has drawn the living character of the heart, which glows in the pen. It gives, by relating facts or opinions, under the impression of the moment, with modesty, and in a vein of confidence, the habits and principles of the character. It proves the writer, (through his modesty itself*) the English hero---intrepid, persevering, and generous. It marks, at the same time, those eloquent, but unaffected, powers of style, which, in *him*, were the happy effects of taste and good sense, elevated into a higher strain, by honourable sentiments, and by that "*noble way of thinking*," (to adopt the words of his friend) which inspired his character

Before a subject of greater importance is entered on, it may not be amiss to record a peculiar incident, which tends to mark the powers of Captain Hardinge's naval memory. In the summer of 1804, as he was dining at Ride, in the Isle of Wight, with his uncle, Sir Richard Hardinge, who had been a seaman, as an East India captain, and Mr. Hardinge, the judge, they took out their glass. The last-mentioned gentleman could distinguish nothing beyond the general appearance of a ship; but Sir Richard immediately announced the approach of a man of war. Captain Hardinge, the moment that he took the glass, exclaimed, "The Ville de Paris!" Sir Richard laughed at him, and said, "In the first place, it cannot be, for that ship is not expected home; and, in the next place, if it were true, you could not be sure of it so far off." Captain Hardinge looked again, and repeated, "The Ville de Paris." This produced a wager; and the first thing seen, on the return of the party home to Cowes, was a cutter, with intelligence of Admiral Cornwallis's return, *on board the Ville de Paris*!

Earl St. Vincent that firm and affectionate patron of his *naval son*, resigned; and Viscount Melville succeeded.

Captain Hardinge, having lost the command of his war-sloop, on account of his new rank, was of course to wait for the command of some frigate, when it could be obtained for him.

One should have hoped that, after an action of such *eclat*, he would soon have been possessed of a desirable ship, and, with it, of some animated station, that would have enabled him to follow up his blow, in credit to himself, and utility to the public. But it so happened, that from this period, a series of naval disappointments (I call them by no other name,) clouded the short remainder of his exemplary life, till the accident arose which terminated all his hope in

† He was always upon his guard against vanity, even in the confidence of playful intercourse. In a letter to me is this excellent banter upon himself; "Pray, commend my zeal and address in manning the ship within so little time—pretty well for a modest officer! you remember what *Ranger* says to one of *us*, 'There is a degree of assurance in you modest men, that we impudent fellows never can reach."

in this world, but with a naval enterprise which, had his life been spared, would have made him in future an habitual favourite of the executive government, in the naval branch of it. He panted in vain for an open theatre, and for "sea room," as he called it. But though he could not accomplish it, and was traversed in all his flattered hopes to obtain it, his naval character took a depth of root, which no misadventure could shake. It was confirmed in the opinion of naval men, who had opportunity of intercourse with him, and were disinterested judges of his merit; it found its way to the hearts of his brother officers, and of his crew. This reminds me of an application made by those who had served under him in the capture of the Atalante, and who solicited, but in vain, to follow him in every future ship or destination of the hero they admired and loved. The passive courage of his temper, and the inflexible energy of his animal spirits, enabled him to encounter, with heroism of the best kind, these goading adversities.

The first command which he obtained was that of the Proselyte, in August, 1804. She had been a Newcastle collier, and had been patched into the name of a twenty-gun frigate, a name she ill deserved.* No other ship *could* be found, (as he was told) for *him*. So much for *the ship*; now for *the service*. He was ordered *immediately* to the West Indies, with a convoy: this injunction, with his accustomed alacrity, was obeyed in the outset, but ere he left Portsmouth, his relations interfered, and successfully, against this project for his advancement, without imputing a shadow of blame (nor is it imputed now) to the appointment either of ship or of climate. They deprecated the effect of the West Indian climate upon his very sanguine habit; and they had received a discouraging impression of the ship from naval men. Their exertions obtained his removal into another frigate, and a more acceptable scene of action.

When he was in the act of preparing this inauspicious frigate for sea, her R. H. the Princess of Wales remembered the captain of the Terror; again took the most generous notice of him, invited him to parties, where he met persons of high rank and of interesting characters; expressed the highest opinion of him, and more than once condescended, herself, to patronize the wishes of his friends.

He was, however, to be again devoted to misfortune. The Valorous, conferred upon him, January, 1805, had been described, both to himself and the Admiralty Board, as one of the best ships in the service. During his equipment of this vessel, he was honoured again with kind and gracious attentions from the same august personage, and was again most gratefully impressed by the honour shewn to him. The Valorous was named by his own friends to Lord Melville, who gave it him, at their instance, but with a similar impression of its value.† She was, in truth, so desperate, that,

* "I should like," said her commander, in a letter to a friend, "to be six feet high, and I shall reach that height, when I can repair the defects of *Madam Proselyte*."

† I remember seeing a letter from him, dated Valorous, in Dungeness Bay; it stated, that he had been *three days* from the Downs, beating up for that place—a day's passage in a good or tolerable ship of this class; and that he had been told, his ship was to be surveyed by two experienced officers, who were to report her

that, after the peril of his life in the experiment, he convinced the commissioners who were to examine her, by the *ordeal* of a hard gale very near home, how incompetent she was, to any use, in that class of ships. Upon the report made by them,* she was cut down into a war-sloop.

Let us read his own manly, temperate, and fair account of this transaction :—" I have been deceived by a false picture. They told me 'she was a Cormorant'—a ship with whose merits I had been acquainted, and was happy in the idea of commanding a vessel compared with her. But this turns out, after all, to be, at the very best, a miscalculated speculation, more whimsical than solid; for those three which have been so puffed, are universally deemed, by all the builders whom I have reached, as perfectly unequal to the rank they are called upon to fill. They have acquired the name of *prames*, in imitation of Buonaparte's flotilla.

The worst of the adventure is, that I courted from description alone; but that having asked and obtained, I feel a shame at the confession that I was deceived. I impute no blame to Lord Melville."

I remember one trait of him, when he despaired of a removal from this frigate, or of serving his country with effect (as continuing to command so feeble a ship), which cannot be suppressed, because it makes a feature in the portrait of his character. "When I look at *Owen*," he said (pointing at the incomparable officer of that name), " I feel it impertinence to complain. How little is he advanced in the career of naval preferment—that noble creature, whose conduct is an example, almost unrivalled, of enterprize, ability, and perseverance! Yet I do not presume to censure the executive government; but so it is : but I take the best part of that precedent, which is, that *he* does not complain, and that his character does not feel it. He perseveres, and waits : must not I (at such a distance of inferior merit from him) do the same—*wait* and *persevere?*"

The Captain was adrift again. The writer of this memoir happens personally to know, that a very experienced and celebrated naval officer, of high rank in the service, having accidentally seen this vessel at Liverpool, just after she was built, prophetically marked her doom. The Admiralty Board had been misinformed, and were misled.

Lord Melville resigned ; and Lord Barham succeeded : at the instance of Earl Camden (the first cousin to his father), Captain Hardinge was honoured with an offer of the

qualities in a good stiff breeze; that he had no doubt of the result, and wished for the experiment.

* He wrote an account of the survey, and of its result :—" Captains Lobb and Malbon have surveyed us. It's just as I wished and foretold. It blew enough to invite the experiment. I weighed, and the Cygnet with me, commanded by an old friend, Macleod. We returned in a few hours to anchorage, having almost upset the ship, though our companion had more sail, who is also unable to carry much. I learnt with infinite satisfaction that its their determination to report incapacity in stronger terms than I could venture to use, but which, officially as coming from them, will induce our superiors to shift her establishment altogether : at present she is not safe. This I knew, but would not let you know it, lest you should accuse me (as you have sometimes playfully done) of growling—a bad habit, which if encouraged, clings to a man for his life."

the Salsette, a thirty-six gun frigate, which Lord Barham described as newly built, of teak wood, at Bombay, and as being ready, at all points, for the captain's *instant* command of her, on his arrival there, equipped and manned. The history of that frigate, in the sequel of this memoir, will astonish the reader. He accepted the offer most gratefully, and sailed as a passenger on board the Belliqueux, Captain Byng (the same excellent officer and amiable man who had the painful duty of reporting his death.) Here an opportunity occurs of marking his affectionate sentiments. He parted from a dear friend in the following words, that came from his heart:—

"Belliqueux.

"Amongst the sensations which an event like this awakens, the only painful one is, that I am to be separated from those I love, and for a period so indefinite. But no space or time can ever separate me from you."

What a favourite he was in that ship has been attested by an officer of it, who told me, that "when Captain Byng, who kept early hours, had retired into his bed, Captain Hardinge 'shifted his flag,' as he expressed it, into the party of the lieutenants, and that he delighted them with his companionable talents," in which few surpassed him.

At the Cape of Good Hope he volunteered his aid, and commanded the marines: "This will detain me," said he, "from the Salsette, whom I long to embrace; but what cannot be averted must be encountered with fortitude." Again his name found its way into the gazette.

On his arrival at Bombay, he discovered the Salsette, or at least a new frigate of that name (and the only one he could find,) *just begun to be formed!* He repaired immediately to Madras, and presented his letters of credence to Sir Edward Pellew, who was the naval commander-in-chief. These letters were accompanied by his commission for the Salsette: one of the letters had been written by Earl St. Vincent, who had no power then but that of his personal influence and character. If he had really been (as he playfully called himself) his *father*, he could not have written it with more zeal for his welfare and for his honour, which last he knew to be inseparable from the first. His admiral consoled him for the disappointment, and assured him "that it was a mistake of the name, for that instead of the Salsette, then just born, the new frigate intended for him was the Pitt, which had been called the Salsette; that she was then cruising off the Isle of France, under the command of Captain Bathurst, as her provisional captain; that she would return to Madras in a few months, and that Captain Hardinge should be then put in complete possession of her." With his pen he altered the name of Salsette into that of Pitt; he offered him, in the mean time, the immediate command of the St. Fiorenzo, a very admired frigate in her day, but superannuated and crippled. When Captain Bathurst returned, he induced the admiral to continue *him* in the command, and leave Captain Hardinge in the other frigate. After some *unprofitable* cruises (in all senses of the term,) and after one of them, in particular, which in a gale endangered his life, she was ordered in to repair, and the captain was, of course, to sit with his hands before him. He had frequent promises of active employment, but remained captain of that crazy

crazy vessel (dangerous when attempted in service, or asleep when laid up,) and without hopes of seeing (to use his own figure) "*one enemy's face.*" He had begun a very animated letter in the course of last year, with transports of joy, under the impression that he was in actual chase of la Piedmontese, which had been the terror of the Indian sea, and, though speaking with modesty of himself, expressed a zealous hope to rescue the settlement from so mischievous a neighbour, by the help of his crew, whom he described, as if he loved every one of them to his heart, and as if they were his children. But she out-sailed him, and escaped.

What, in the mean time, is become of the Pitt? I told the reader that he would be *astonished* at the history of the Salsette, and I will now redeem that pledge—I'll keep my word.

The Pitt has resumed the name of the Salsette, and in that very name has enabled her captain (a very deserving and gallant officer) to obtain valuable prizes in the Baltic. One of them will be found in a gazette, not a fortnight prior to that which notifies the death of her *intended* commander, Captain Hardinge!

The admiral has made an excursion from this settlement. It has terminated in his performance of an important service, by the destruction of all that remained of the Dutch navy in the east. He took with him frigates; but the St. Fiorenzo was not one of them. Here, as upon the subject of other and similar incidents, I attribute no blame to the conduct of naval superiors; but relate facts, relate them as incidents, and lament the fatality of them.

When the St. Fiorenzo had been repaired at Bombay, in October, 1807, that is, had been rendered, as her captain expresses it, "*barely effective*, but *not eligible*, and rather *safe* than *sound*," the admiral (with all his efficient naval force) having left that part of the east, Captain Hardinge, as the senior officer then at Bombay, was offered, in the December following, the advantage of carrying treasure to Bengal. Though he had not made one capture, since he took the Atalante, in March, 1804, and though he had incurred heavy expenses in his baffled course to the east, he would have rejected this offer, if the admiral could then have substituted an arrangement more congenial to his naval spirit, (for except as the means of being generous to others, he had a contempt for the purse). But under the existing circumstances he accepted the offer, and was to receive, as I understood, a thousand guineas for the carriage, or (to use the naval term) freightage of this treasure. It was in the performance of that humble task that we find him at Point de Galle, in February, 1808.

In his letter from thence (almost the very last that came from his pen) bearing date February the 8th, 1808, he despairs of enterprise, and is returning to Bombay. He was ill-prepared for a conflict, except in the resources of his own personal heroism, assisted and sustained by that of his crew who loved *him* as *he* loved *them*. They were few, and sickly; one of the lieutenants had been left behind them in a very alarming state of health. A letter from him, dated from Cheltenham, will appear, and will supersede all praise of the officer by whom it was written. It will prove how his captain was beloved.

The writer of this memoir, not being a naval officer, is unequal to the task of describing the action with the Piedmontaise, as far as the details of it have reached him. But he appeals to the illustrious patron of Capt. H. for its renown, and will close the memoir with a copy of his letter upon the subject, which reflects no less honour upon him (veteran as he is in fame) than upon his departed friend, and is a living portrait of his own generous mind.* This we *know*, that a *thirty-eight gun* frigate, superannuated, and mustering a *hundred and eighty-six* men, chiefly invalids, fought three actions with a *fifty-gun*† frigate mustering *three hundred and sixty-six* men, besides *two hundred Lascars* to work the sails, overcame, and captured her—by the irresistible effect of persevering enterprise and valour.

Captain Hardinge considered these latter years of his life as thrown away and lost. He appears to have utterly despaired of additional honors in the service he loved. But he was never dispirited, and his fertile mind could not sleep, as long as it commanded resources within itself. He again, as in the Mediterranean, studied customs, manners, and characters. His letters are acute, as well as entertaining; full of spirit and wit, but shrewd in sagacity of comment, and sometimes (but playfully) a little satirical. He describes in one of them, better than I ever saw it painted, the suicide of an eastern widow, but with inferences from it, above all praise of a better kind, for pathetic eloquence, and beautiful sentiments of humanity.

There is no chance of describing, in terms equal to its value and spirit, his love to his relations and friends. That he despised wealth as the means of selfish enjoyment, has been already intimated; but the writer is proud of the occasion to lay before the reader two features of his liberal character, both as they mark his love to his own family, and as they point at the character of that interest which he destined for all present or future acquisitions to his fortune:—He had scarcely accepted the offer at Bombay, before he directed a hundred and fifty guineas to be expended in the portrait of his eldest uncle. He told Captain Maitland, (the accomplished and gallant son of the Earl of Lauderdale), his bosom friend, that "he determined, after payment of his debts, to appropriate any overplus, for the purchase of a majority, and forward the gift of it, by him, to his next brother, Henry," now a captain of the 57th upon the staff in Portugal, and wounded in the second of the battles there; a very accomplished and promising officer.

Nothing has yet been said upon the topic of religion. But the writer of this memoir, who loves the sea, and is proud (as an Englishman) of all its numerous heroes, wishes to impress upon his reader the fact, that Captain Hardinge, a naval hero, and as brave a man as ever lived, has never been surpassed in humanity, and was a firm christian.

In 1799 I was much in habits with him, and they were habits of confidence: one day, I challenged him, accidentally, into an argu-

* The official annunciation of the capture of the Piedmontaise, and the death of Captain Hardinge, will be found at page 316 et infra of this volume.

† These were long *eighteen-pounders*, to which must be added *thirty-six pound carronades* on her quarter-deck.

ment

ment in support of christianity, as the reporter of some topics which I had recently heard, in opposition to it, from one of those who are called *free-thinkers*; and which, though I hold them as cheap as dirt, I coloured as plausible as I could, in order to give them fair play, and by way of experiment upon his christian faith. I was charmed with his reply: it was humble and modest, but contained many original topics of reasoning, in support of the New Testament, which no divine or scholar would have disowned.

Of his modest humility I cannot here suppress a very interesting feature, which has recently come to my knowledge. Captain Maitland, who had heard of the fame which his friend acquired in the capture of the Atalante, attempted in vain to learn the details of that enterprise *from him*. He was inflexible to those affectionate importunities, and parried all questions upon it, by the order of the day. That incident, which has been related in some of the papers respecting his concealment of the part which he personally took in the same enterprise, from Admiral Rowley, is a fact; and it may here be added, that I never saw the letter which he received from Captain Tyler, soon after his return, in 1804. It was an *éloge* upon him, the most affectionate that was ever penned; and this very circumstance accounts to me for my ignorance of the fact, that any such letter had been received.*

But his ruling passion, subordinate even to his valour and public spirit, was humanity. Amongst a thousand other traits of it, I recollect, that he took infinite pains with a memorial, which had been written by himself, to recommend an officer of artillery, who had assisted him on board the Terror, off Granville, in 1803.

The honours paid him by general Maitland are too interesting, and much too noble to be withheld from this report of naval heroism; they shall open the documents annexed:

Copy of the letter which the uncle of the late Captain Hardinge received in August, 1808, *from the Honourable Lieutenant-general Maitland, governor, &c. of Ceylon.*

"Sir,

"After the heavy loss you have suffered, in the honourable and glorious death of your nephew, killed at the end of an action which places him second to none who have died in the defence of their country, it may be some consolation, though a melancholy one, to know, that his death was no less immediate than his gallantry, and the advantage accruing from it, were brilliant and signal.

"The Piedmontese had eluded the vigilance of all other naval officers; till, fortunately for Britain, but unfortunately for you, he fell in with your nephew. Enclosed I have the honour to forward you a copy of an order, which I felt it a duty, as a public man, to issue upon the first arrival of the intelligence.

"I have the honour, &c.

"T. MAITLAND."

Copy of the orders enclosed in Lieutenant-general Maitland's letter.

(GENERAL ORDERS.)

"Galle, Head-quarters, March 13, 1808.

"Lieutenant-general Maitland feels it a duty which he owes to his sovereign and his country, to mark, in the strongest terms, the advantage which may arise to the particular branch of his majesty's service in which he is engaged, by drawing their attention to the benefits accruing from gallantry and perseverance in other departments of the public service.

"He

* From that amiable, able, and spirited officer I have received a letter, which, for modesty, goodness of heart, and generous affections, gracefully expressed, is above all praise of mine.

"He is the more called upon to mark it, from a circumstance which has just come to his knowledge. The St. Fiorenzo, after an action, second to none in the splendid annals of *British* valour, and marked with a degree of perseverance which has rarely occurred, has towed into the roads of Colombo (the capital of this island,) la Piedmontese, of greatly superior force in guns and men, and which had escaped from the vigilance of his majesty's navy in this part of the world.

"He has no doubt that every surviving individual, engaged in this action, will be requited with marks of royal munificence and liberality, such as have been displayed upon similar occasions, by his royal master, and by the British nation.

"In the mean time, he feels it his duty, as representing his sovereign in this island, to direct that, at four o'clock to-morrow evening, the flag at the flag-staff of this fort be hoisted half flag-staff high, and that minute guns be fired agreeable to the number of years captain Hardinge had so honourably lived, when, most unfortunately for his friends and for his country, his career was cut off.

"These orders will be read at the head of the troops, and similar honours to the memory of Captain Hardinge will be paid in every fort of this island."

I promised a letter from the bishop of Landaff.

(COPY.)

"Calgarth Park, 24th Aug. 1808.

"My Dear Sir,

"What can I say to you upon this heart-breaking event? nothing which has not struck your own mind: yet I must beg you to believe that I sympathize with you—for sympathy like this, be it ever so fruitless, in lessening grief, is joy itself, compared with neglect.

"When Lord Robert Manners was killed, the king said to the Duke of Rutland, that 'he had rather have lost three of his best ships;' and surely, in perfect justice, he cannot estimate the loss of Captain Hardinge at a less price. "Your's faithfully,

"R. LANDAFF."

An extract from the letter of a lieutenant in the St. Fiorenzo shall here be inserted.

(COPY.)

Cheltenham, Sept. 9, 1808.

"This admired and gallant officer is most universally regretted by all that knew him, and by *us*, (of his profession) the most, because we knew him the best.

"He conducted himself in the kindest manner to me ever since he took the command of the ship, and when I left her at Point de Galle, on account of a severe indisposition, such expressions of zeal for my welfare, and of personal attachment I experienced from this best of men, as I never shall experience again, or ever had experienced from others.

"Never in this world has any man been so regretted as the good and brave Captain Hardinge.

"I am, &c.

"EDWARD COLLIER."

The lady to whom I alluded, as having been very ill when he ran up stairs with his little shoes in his hand, saw much of him on his first return from sea; and, since we lost him, she has beautifully touched his character.

(COPY.)

"To his country he is a loss not easily repaired—it is irreparable to his friends. That he gave up his life in the bed of honour, should alleviate our distress; but that his courage, his abilities, and his laurels are the *least* reasons for *our* pride in him, is greater satisfaction still.

"The goodness of his heart, the engaging sweetness of his manners, the uniform and strict propriety of his conduct and sentiments, endeared him to all who ever knew him, and will receive their due recompense from *the giver of all victory—the judge of all men*."

(COPY.)

"Rocherts, 3d Sept. 1808.

"My Dear Sir,

"I participate sincerely in your grief, and regret for the loss of your gallant young friend and mine, who has left us in the midst of his glorious career.

"I consider the enterprise and conflict in which he fell, taking in all the circumstances of it, as the most eminently distinguished that our naval annals can boast, and I read a short account of the departed hero in yesterday's *Courier*, with a melancholy sense of pleasure.

"It

"It can truly be said of him, that he died as he lived—an ornament to his country, and an honour to those who bear his name.

"I cannot abstain from a tear over him—a weakness (for such it is) which I am not ashamed of confessing to you, whose feelings resemble those of your affectionate

"ST. VINCENT."

I cannot refuse to the public, or to my own feelings, an extract from a letter of Admiral Tyler to me. It is in these words:

"His latter conduct has placed him amongst the greatest heroes of this country; and I hope to see his monument in St. Paul's, where the great and glorious Lord Nelson lies; a fit and proper companion for our lamented hero's name and memory.

(Signed) "CHARLES TYLER."

Peace to the soul of the hero! and blessing to his departed spirit!—Fame and affection to his memory upon earth!

SHEMS ALMAALI CABUS,

THE

Dethroned Sultan of Georgia.

HISTORY can shew few princes so amiable, and few so unfortunate, as *Shems Almaali Cabus.* He is described as possessed of almost every virtue and every accomplishment: his piety, justice, generosity, and humanity, are universally celebrated; nor was he less conspicuous for intellectual powers; his genius was at once penetrating, solid, and brilliant, and he distinguished himself equally as an orator, a philosopher, and a poet. In such estimation were his writings held, that the most careless productions of his pen were preserved as models of composition, and, we are told, that a famous vizier of Persia could never open even an official dispatch from *Shems Almaali* without exclaiming, "This is written with the feather of a celestial bird."

Shems Almaali ascended the throne of *Georgia* upon the death of his brother, A. H. 366; and, during a reign of thirty-five years, made the Georgians happy by his administration. His ruin was, at length, occasioned by an unfortunate piece of generosity.

In a contest between *Mowid Addaulet* and *Faker Addaulet*, two rival princes of the house of *Bowiah*, the latter had been overcome by his brother, and with difficulty escaped into Georgia, where *Shems Almaali* afforded him an asylum. *Mowid Addaulet* considered the kindness shewn to his brother as an insult to himself; and, resolving upon revenge, he overran Georgia with a numerous army, and obliged *Faker Addaulet* and *Shems Almaali* to fly for refuge to the mountains of *Khorassan.* For three years the exiled princes led a wandering and uncomfortable life, surrounded by danger, and harassed by necessity; but, at the end of that period, *Mowid Addaulet* died, and Faker Addaulet, without opposition, assumed the sceptre of Persia.

Shems Almaali, as was natural, expected to participate in his friend's good fortune, and persuaded himself that he should not only regain the kingdom of Georgia, but that every

every favour would be heaped upon him, which it was in the power of the Persian monarch to bestow. He was disappointed; for *Faker Addaulet*, with unparalleled ingratitude, refused even to restore his hereditary dominions, and the unfortunate *Shems Almaali*, unable to assert his claim by arms, remained for fourteen years longer in exile. At length, however, *Faker Addaulet* died, and *Shems Almaali* was invited, by the general voice of his subjects, to return to Georgia, and re-assume the government. He accepted their invitation: and was no sooner settled upon the throne than he applied himself, with his former assiduity, to promote the welfare of his kingdoms.

But the *Georgians* were now become unfit for such a sovereign: during his long absence, a thousand abuses had crept into every department of the state, which the great men, who profited by them, were unwilling to see corrected. *Shems Almaali*, however, was determined to bring about a reform, whatever might be the consequence. But the attempt was fatal to him, for a number of the principal persons of the kingdom, disgusted at his severity, at length conspired together to deprive him of the sovereignty, and taking advantage of his son's absence, they rushed upon him unawares, and bore him off, from his tent, to a place of confinement.

After they had secured *Shems Almaali*, they dispatched messengers to his son, *Manujeher*, informing him of what they had done, and offering him the throne, upon condition that he would unite with them in the deposition of his father. The young prince pretended to accede to their proposal, and was accordingly proclaimed sovereign of Georgia.

But *Manujeher* was no sooner in possession of the throne, than he flew to his father's prison, and prostrating himself before the old monarch, declared that he had only accepted the crown with a view of preserving it for his father, into whose hands he now restored it, and in whose defence he was ready to sacrifice his life.

Shems Almaali was charmed with his son's behaviour, but refused his offer; saying, that he had now done with the world, and only wished to remain undisturbed in his present retreat, where he meant to dedicate his few surviving years to the service of God. Manujeher promised that every accommodation, which his father desired, should be amply furnished, and gave immediate orders for the purpose.

But the conspirators who had dethroned *Shems Almaali*, dreading his talents as much as they hated his virtues, were determined to put an end to their fears by his death. They made many attempts to persuade *Manujeher* to commit this horrid deed; but, finding all their solicitations ineffectual, they resolved to undertake it themselves. The murder was not long delayed, and was accompanied with the aggravated guilt of unnecessary cruelty; for, having gained possession of the castle, which *Shems Almaali* had fixed upon for his retreat, they unroofed the chamber where he resided, deprived him of clothes and every necessary, and left the aged monarch to perish with cold upon the pavement.

After the character given of *Shems Almuali*, it is almost superfluous to add, that he was the

patron

patron of literature. His court abounded with men of genius from all parts of the East; amongst whom the celebrated *Avicenna*, who lived many years under his protection, deserves particularly to be mentioned.

HINDU CASTS.

The tribes, or casts, comprehended in the *Eddagai*, or left-hand side, are nine.

I. Panchala, comprehending

1. The *Cubbinadava*, or black-smiths.

2. *Badiga*, carpenters.

3. *Cunsugaru*, coppersmiths.

4. *Culbadiga*, masons.

5. *Axala*, gold and silversmiths.

2. *Bheri chitty*, merchants who pretend to be of the *Vaisya* cast.

3. *Devanga*, a class of weavers.

4. *Heganigaru*, oil makers, who use two oxen in their mills.

5. *Gollur*, or *Golawanlu*, who transport money.

6. *Paliwanlu*, } two tribes of cultivators, who
7. *Palawanlu*, } are not of Karnataca origin.

8. *Baydaru*, hunters.

9. *Madigaru*, tanners, or shoemakers. The *Panchala* command the whole party; and the Madigaru, in all disputes, form the most active combatants; on which account, as their own name is reproachful, they are commonly called the *Eddagai* cast, as if they were the only persons belonging to it.

The casts forming the *Ballagai*, or right-hand side, are eighteen in number.

I. *Banijigaru*, who are of many trades, as well as many religions. The two most conspicuous divisions are

1. *Panchum Banizigaru*, who are traders, and wear the *Linga*.

2. *Teliga Benijigaru*, who worship Vishnu.

2. *Wocligaru*, cultivators of the *Súdra* cast, and of *Karnátaka* extraction.

3. *Jotiphana*, oil makers, who use one bullock in the mill.

4. *Rungaru*, calico printers, and taylors.

5. *Landaru*, a kind of Mussulman traders, who are followed by all the artificers of the same religion.

6. *Guzerati*, merchants of *Guzerat*.

7. *Camatigaru*, persons who are really of the Vaisya cast.

8. *Jainaru*. worshippers of Jain.

9. *Curubaru*, shepherds, blanket weavers, and cultivators.

10. *Cumbaru*, potters.

11. *Agasaru*, washermen.

12. *Besta*, *Palankeen* bearers.

13. *Padma Shalayvaru*, a kind of weavers.

14. *Naindaru*, barbers.

15. *Uparu*, persons who dig tanks, and build rough walls.

16. *Chitragaru*, painters.

17. *Goallaru*, keepers of cows and buffaloes.

18. *Whalliaru*, the people called *Parriars*, at *Madras*, who form the active part of the right hand-side,

side, and are commonly called *Ballagai*, their own name being disgraceful. The *Panchum Banisigaru* are the leaders of this division.

It must be observed, that, in these lists, I have used the *Karnátaca* or *Camaresc* language; and almost all the names are in the plural, as speaking of classes of men. The singular number may, in general, be obtained by rejecting the final *ru*. I must also observe, that these lists differ, in some respects, from a valuable account of the right-hand and left-hand sides, which Colonel Close was so obliging as to communicate. The difference, I suppose, arises partly from his having received the accounts through the medium of the *Mussulman* language, and partly from his having taken them at *Bangalore*. Mine I received at Seringapatam, by means of an interpreter, from the Karnátaca language; and I have found that, in different places, though at no great distance, there are considerable variations in the customs of the same tribes;—a circumstance to which I request the reader's attention. My descriptions of sects are only to be considered as strictly applicable to those of the places where they have been taken.—I avoid the Mussulman names; as I find that these people had, in general, very imperfect notions concerning their *Hindu* subjects, and frequently used distinctions to which there was nothing analogous among the aboriginal natives.

The origin of the division of *Hindus* into the right and left-hand sides, is involved in fable. It is said to have taken place at *Kunji*, or *Conjeveram*, by order of the goddess *Kali*; and the rules to be observed by each side, were, at the same time, engraved on a copper plate, which is said to be preserved at the temple of that place. The existence of such a plate, however, is very doubtful; both parties founding, on its authority, their pretensions, which are diametrically opposite. The different casts, of which each division is composed, are not united by any common tie of religion, occupation, or kindred: it seems, therefore, to be merely a struggle for certain honorary distinctions. The right-hand side pretend, that they have the exclusive privilege of using twelve pillars in the *pundal*, or shed, under which their marriage ceremonies are performed; and that their adversaries, in their processions, have no right to ride on horse-back, nor to carry a flag painted with the figure of *Hanumanta*. The left-hand side pretend, that all these privileges are confirmed to them, by the grant of *Kali*, on the copper-plate; and that they are of the highest rank, having been placed by that goddess on her left hand, which, in India, is the place of honour.

Frequent disputes arise concerning these important matters; and on such occasions, not only mutual abuse is common, but also the heads of the divisions occasionally stir up the lowest and most ignorant of their followers, to have recourse to violence, and to encourage them, by holding out the houses and shops of their adversaries as proper objects for plunder. A very serious dispute took place at *Seringapatam*, since it fell into the hands of the English.

Thirty families of the weavers, belonging to the left-hand side, joined themselves to the *Teliga Banijigaru*, and were encouraged by them to use all the honorary dis-

distinctions claimed by the right-hand side. This gave great offence to the *Panchum Banijigaru*, and the *Whalliaru* were let loose to plunder; nor could they be repressed without an exertion of military force, by which several people were killed. In order to preserve the peace of the garrison, and to endeavor to bring the two parties to an agreement, it has ever since been thought expedient to prohibit any marriages from being celebrated within the fort.

Pride is the occasion of another violent dispute for precedency between two casts, the *Panchum Banijigaru* and the *Camatigaru*, although they are both of the same side. The former allege, that they are the hereditary chiefs of the division; and the *Camatigaru* declare, that they are of a higher class, as being Vaisya, while the others are only Súdras. The dispute, at present, runs very high, and has occasioned some trouble to government.

In every part of India, with which I am acquainted, wherever there is a considerable number of any one cast or tribe, it is usual to have a head man, whose office is generally hereditary. His powers are various in different sects and places; but he is commonly instructed with the authority of punishing all transgressions against the rules of the Cast. His power is not arbitrary; as he is always assisted by a council of the most respectable members of his tribe. The punishments that he can inflict are fines and stripes, and above all excommunication, or loss of cast, which to a *Hindu* is the most terrible of all punishments. These hereditary chiefs also, assisted by their council, frequently decide civil causes, or disputes, among their tribe; and when the business is too intricate or difficult, it is generally referred to the hereditary chief of the ruling tribe of the side of the division to which the parties belong. In this case he assembles the most respectable men of the division, and settles the dispute; and the advice of these persons is commonly sufficient to make both parties acquiesce in the decision; for every one would shun a man who could be so unreasonable as to refuse compliance.

These courts have no legal jurisdiction; but their influence is great, and many of the ablest *Amildars* support their decisions by the authority of government. (*Buchanan's Journey.*)

PHYSIOLOGY.

THE SEA SNAKE.

Letter to Dr. Keir, Bombay.

SIR,

A melancholy proof against the too prevalent, but mistaken, idea of the harmless nature of the common Sea Snake, has been clearly evinced in the following fatal occurrence, which took place, in this vicinity, a few days ago, and which I deem it expedient to communicate to you, with the view that it may be rendered public, should you consider it of sufficient importance.

Early in the morning of the 24th ultimo, a stout young man, about twenty-two years of age, a mucqua, or fisherman, belonging to Poodiangurry, a small village in this neighbourhood, went out, with others, in his boat, a fishing, about two miles from the shore. About nine, A. M. upon hauling in his net, he found a common Sea Snake entangled in it. He seized the snake by the back to disengage it from his net, (conceiving it perfectly harmless) when it instantly bit him on the point of the middle finger of the right-hand; he threw the snake into the sea, and thought nothing of the bite. He came on shore about an hour after, when he complained of a slight pain in the affected finger, and which extended along the inside of the right arm. He walked home, about a half a mile from the beach, but towards the latter part of the journey, complained of giddiness and weakness in his loins and lower extremities, and was obliged to be supported by his comrade the rest of the way.

Soon after he reached home, his friends procured a native doctor of his own cast to administer to him; but even then, neither the person who was bitten, nor any of those around him, possessed the most remote idea of danger, or, in fact, that any serious consequence was likely to result from the bite.

About three, P. M. he complained of very great pain in the wounded finger, and all along the right arm; shortly after this the upper and lower extremities were seized with violent spasms, accompanied with giddiness, nausea, and vomiting, and a dimness of sight; towards night, all these symptoms increased, attended with great restlessness and excruciating pain in the right hand and arm.

About two o'clock the following morning, he became comatose, and was occasionally seized with convulsions till he died, which was

about

about twenty-four hours from the time he had been bitten.

About eleven, A. M. of the 25th, his friends called upon me for assistance, when I immediately accompanied them, but much too late; for the unfortunate man appeared to have been dead some time.

The native doctor, who attended, appeared to have done little else than besmear the body with oil and wood ashes, and apply the warm blood of a young fowl to the affected finger.

On inspection, there appeared upon the point of the middle finger of the right hand, a mark just sufficient to know, that he had been bitten, but no swelling about the finger, hand, or arm; nor were the axiliary glands of the right arm at all enlarged. There appeared a much greater degree of rigidity about the body, for so recent a corpse, than I ever recollect to have seen, but no diseased enlargement of the body.

Upon examining the people who were in the boat with the unfortunate sufferer, they all declared having seen the snake, and that it appeared to them to be exactly of the same kind, as they are accustomed to see numbers of daily, when employed in fishing, but never, until the present, has an instance been known amongst them of any serious consequence following from the bite of these snakes.

At noon, of the 30th, just as I had finished the above account, another case was brought on shore from one of the boats to my house: the man had been similarly employed, and was bitten on the back of the fore-finger of the right-hand, about one hour before he was brought to me. The wound was very distinct, but as yet unattended with material pain: knowing the fate of his friend a few days before, from a similar accident, he laboured under great agitation and alarm. I placed a tight ligature upon the arm, scarified freely the wounded part, and rubbed it smartly for some time with a strong solution of Lunar Caustic, administering liberally the spirit Ammonia, internally. He suffered very severe pain in the affected hand, from two o'clock until about six, but towards night, this pain moderated, and the medicine he had taken threw him into a most profuse perspiration. About ten o'clock that night, as there appeared no symptom, indicative of the poison having entered the system, I left off the medicine, and found him, next morning, quite well, though weak: from which circumstance, I feel rather disposed to believe, that, in this case, the remedy had recourse to, combined with his own fears, was perhaps more the cause of his suffering, than the effects of any deleterious matter deposited in the wound.* The snake was described to be of the same kind as the former, but much smaller.

Your's sincerely,

S. Meek.

Calicut,
July 7th, 1807.

* Mr. Everard Hume, the celebrated surgeon, has presented a very ingenious paper to the Royal Society, of which he is a distinguished member, on the effects produced by the poison of this venomous reptile, from cases coming within his own observation, and from experiments made by him during his residence in the West Indies. From these he has drawn conclusions of so decisive, and at the same time, of so novel a nature, that it is fit they should be communicated, on the

GEOLOGY.

ENCROACHMENT OF THE SEA ON THE BEACH AT MADRAS.*

To the Editor.

SIR—The alarming advance of the sea, on the beach of Madras, and St. Thome, has naturally occasioned much speculation and conjecture. I have heard the cause assigned to an internal commotion of

first opportunity, not only for the information, but possibly for the safety of the Asiatic reader. The Editor cannot better describe the results of Mr. Home's experience, than in his own words.

"It appears, from the facts which have been stated, that the effects of the bite of a snake vary according to the intensity of the poison.

"When the poison is very active, the local irritation is so sudden, and its effects on the general system are so great, that death soon takes place. When the body is afterwards inspected, the only alteration of structure met with, is in the parts close to the bite, when the cellular membrane is completely destroyed, and the neighbouring muscles very considerably inflamed.

"When the poison is less intense, the shock to the general system does not prove fatal. It brings on a slight degree of delirium, and the pain in the part bitten is very severe: in about half an hour, swelling takes place, from an effusion of serum in the cellular membrane, which continues to increase, with greater or less rapidity, for twelve hours, extending, during that period, into the neighbourhood of the bite; the blood ceases to flow in the smaller vessels of the swollen parts; the skin over them becomes quite cold, the action of the heart is so weak, that the pulse is scarcely perceptible, and the stomach is so irritable that nothing is retained in it. In about two hours these symptoms go off, inflammation and suppuration takes place in the injured parts, and when the abscess formed is very great, it proves fatal. When the bite has been in the finger, that part has immediately mortified. When death has taken place, under such circumstances, the absorbent vessels and their glands, have undergone no change similar to the effect of morbid poisons, nor has any part lost its natural appearance, except those immediately connected with the abscess.

"In those patients, who recover with difficulty from the bite, the symptoms produced by it, go off more readily, and more completely, than those produced by a morbid poison, which has been received into the system.

"The violent effects which the poison produces on the part bitten, and on the general system, and the shortness of their duration, where they do not terminate fatally, has frequently induced the belief, that the recovery depended on the medicines employed; and in the East Indies, eau de luce is considered as a specific, for the cure of the cobra di capello.

"There does not appear to be any foundation for such an opinion; for when the poison is so intense as to give a sufficient shock to the constitution, death immediately follows, and when the poison produces a local injury, of sufficient extent, the patient also dies, while all slighter cases recover.

"The effect of the poison on the constitution is so immediate, and the irritability of the stomach is so great, that there is no opportunity of exhibiting medicines, till it has fairly taken place, and then there is little chance of beneficial effects being produced.

"The only rational local treatment, to prevent the secondary mischief, is making ligatures above the tumified part, to compress the cellular membrane, and set bounds to the swelling, which only spreads on the loose parts under the skin; and scarifying freely the parts already swollen, that the effused serum may escape, and the matter be discharged as soon as it is formed. Ligatures are employed in America, but with a different view,—namely, to prevent the poisons being absorbed into the system."

* An account of this dreadful visitation is described in a preceding place. Page 128—130.

of the earth, and not to the force of the hurricane alone. The wreck of the Fairlie so unexpectedly thrown on the beach, seems to strengthen this idea.

If the sea has been displaced by the sudden protusion of volcanic matter, his majesty's squadrons, and the whole commercial world, are most highly interested in ascertaining the position and extent of the bank or shoal, which may thus have arisen probably in the vicinity of this port. The sea has long been gradually advancing on Madras, but whether the hurricane or other apparent cause has produced the present rapid influx of the irresistible element, it evidently becomes most desirable, and indeed necescesary, to investigate with attention an event so extremely important, in its public and private consequences, in various points of view, and to collect every possible intelligence for determining the extent of its encroachment along the coast.

F. J.

Madras, 14th Jan. 1808.

*To the Editor.**

Sir,—In addition to the reasons which have been adduced, to prove that an earthquake was felt at Madras, on the night of the 10th and 11th December, I have to state that a small brick-built well, about 15 feet deep, which was sunk at the observatory gardens, between the astronomer's house and the observatory buildings, was broken down at several places, and at different depths, during the storm, and that the upper circle of Masonry, which secures the aperture of the well, has been shoved from its paralellism with the earth, by several degrees, in which situation it may now be seen.

W.

Madras, Jan. 29th, 1808.

To the Editor.

Sir,—Having observed in the last Madras Gazette, a letter signed F. J. on the subject of the different speculations and conjectures which have been formed, as to the cause which may have occasioned the sudden, and extraordinary approach of the sea on the beach of Madras, and St. Thome; and as the correspondent further seems to wish for some more information on that subject, in order to obtain grounds on which he may found his investigation, "whether the approach of the sea was occasioned by the hurricane, or by an internal commotion of the earth," I beg leave to communicate to him, through the channel of your paper, what was felt by me, and several others, on the night of the hurricane. It happened that I, my whole family, and some friends, were on that night on the north side of the Ennore river, in the buildings erected by Mr. Fortin, opposite to the Ennore choultry, the main building not being finished or covered in, we occupied a covered and strait Veranda of 100 feet in length: which Veranda was connected with the east wall of the building.

Between 12 and 1 o'clock in the night, we felt a very sensible motion of the ground, which made us all jump from our cots with surprize, asking each other what it was? We naturally concluded that it was occasioned by the force of the wind, having no apprehension of an earthquake, the volcanoes being

* These letters originally appeared in the Madras gazette.

being at such a great distance from Madras; a few minutes after, we felt a second motion, which was soon followed by a third—the two last were, however, less sensibly felt. The wind *then* began to *increase*, and about two o'clock we heard the walls of the building fall down. In the morning we made our observations on the *three* commotions we had experienced between 12 and 1 o'clock, and were all surprized that although the wind, after the shock, had gradually *increased*, we had not felt any more motion of the ground during the whole night. This proved to us that our first conclusion was erroneous, and that it was not occasioned by the violence of the wind, because if that had been the case we ought to have felt it during the whole of the night, and stronger and stronger, according to the increase of the wind.

I also must observe that the Veranda was not paved with bricks, but composed of clay, on which our cots were standing, and therefore, if the walls of the Veranda were shaken by the wind, it could not communicate the motion to the soft and wetted clay.

At my return to Madras, several of my friends informed me that about the same time they had felt a similar commotion, and that they had also attributed it to the violence of the wind; but on further inquiry they all declare, that during the remainder of the night they did not feel any more motion of such a nature.

In adding these observations to the wonderful effects of the sea in having thrown up the wreck of the Fairlie, which had been buried in the bottom of the sea for so many years, great credit may be given to the opinion that an internal commotion of the earth has really occasioned the extraordinary approach of the sea; and I also think that the late news we have received of an earthquake having actually happened at Padang on the 3d December, should not escape the attention of the Investigator.

I am, Sir, &c.

H.

Madras, Jan. 26, 1808.

HYDOGRAPHY.

ROCKS RECENTLY DISCOVERED.

Bale of Cotton Rock.

N. Latitude - -	5	18
E. Longitude (fr. London)	90	44

It is about the size of a large room, in height, and has the appearance of a ship under sail.

This account is confirmed by the journal of a gentleman, who has been twice upon the rock.

Le Meme's Reef.

N. Latitude - -	1	20
E. Longitude (fr. London)	94	20

The Reef is from eight to ten feet above the surface of the sea, and extends about a mile from east to west.

This account is rendered by a gentleman, who was with Mr. Le Meme at the time he discovered the rock, and went upon it. He afterwards saw it, and attempted to get upon it, but was prevented by a heavy swell of the sea.

Reef off Point Romania.

Captain Owen, of one of his Majesty's ships, being stationed at the mouth of the straits of Sincapore, has lately made a correct survey of the Reef off Point Romania, in which he has ascertained, that it is of considerable extent, but that it is only dangerous for ships of a large draught of water, as in most places there are from two to three fathoms. Captain Owen has also ascertained, that there

there is a clear, excellent channel, which, though rather narrow, is safe for large ships, within the Romania Islands, or between them and Cape Romania. Any ship, in the North East Monsoon, by keeping close to the Malay shore, can with safety get into the straits of Sincapore by this passage.

Remarks on a Shoal of hard Sand, and coarse Shells, lying between Pulo Cecir de Mar and the Main.

"On the 26th of November, 1807, steering S. W. by S. Pulo Cecir de Mar, bearing E. by S. in soundings of fine grey sand and small shells, we suddenly, at one cast, shoaled our waters from twenty-four to twelve fathoms, when the bower-anchor was ordered to be ready to let go. At the next cast, we had shoaled to ten fathoms, when the anchor was ordered to be cut away, and the ship brought up in eight fathoms, in a bottom of coarse sand and shells. As soon as the ship was secured, the boat was hoisted out, and sounded all round her, the ship bearing east; at the distance of about 400 yards they found five fathoms; at the distance of 500 yards, four, four and a half, and four fathoms; at about 700 yards, four, four, three and a half, and three fathoms, being the least water. When the ship bore north, not more than thirty yards distant, they had twenty-six and twenty-four fathoms, and, pulling to the ship, shoaled suddenly to twelve, ten, and eight fathoms. The following are the bearings taken on board the General Baird, when at anchor: Pulo Cecir de Mar E. by S. ½ S. distant six or eight miles; the rock off the N. W. end of ditto E. 1-3 S. the broken land of Cape St. James W. by S. ½ S. the extremes of the land from W. by N. to E. N. E. We shoaled on the same bank in the Ardaseer, the 10th of January, 1805; the least water at that time was seven fathoms, Pulo Cecir de Mar bearing E. by S. ½ S. distant between two and three leagues.

Latitude by account, 10 35 N. Longitude from M. Greenwich 10 7: 45 E."

The preceding observations were made by Captain R. Elmer, commanding the ship General Baird. The shoal described by Captain Elmer may possibly be a part of Van Holland's Bank; but if it be, that shoal must extend much further to the southward than laid down in any of the charts.

Telemaque Shoal.

The following account was communicated by captain Edwards, of the American ship, Pallas of Salem, who made the Telemaque Shoal on his passage from Boston to Calcutta.

"January 11th, 1807, by a very good observation, in the latitude of 38′ 03° south; and by account, in the longitude of 23° 00′ east from London, at 1 P. M. one of my people observing the water to be very much discoloured and spotted, as if passing over rocks, called all hands on deck, most of them being at the time below at dinner. I ran on deck myself as soon as possible; and found the alarm was not without foundation, the water being very white and spotted:—I immediately went aloft with my glass, and found that the ship was passing over the north-east point of the shoal, the water greatly discoloured, spotted, and rippling very much; I saw two places on which the sea broke very high, bearing from the ship W. N. W. and W. S. W. the one bearing W. N. W. apparently the most dangerous. As its extent

tent to the south-eastward was beyond the reach of my eye, assisted by a good glass and a very clear day, and from the distance run by the ship, I should suppose it to be six or seven leagues in length, from N. E. by N. to S. E. by S. and as I could distinctly see the clear blue water on both sides, conclude it is narrow, not more than a mile or a mile and a half wide in any part, and it is not more than twice the length of the ship in width, at the north east point when the ship passed it. It is probable that the water is very bold all round it, as the ship, at not more than half a mile distance, run two or three hours in water, very little discoloured; there was a great rippling the whole length of the shoal, but no breakers, except on the two places mentioned before.

"It extended far to windward of the ship's wake, and its appearance was so alarming, that I thought it imprudent to heave round, as I otherwise should have done and passed to leeward of it. It was too dangerous to bear down upon with the ship, and the sea too rough to examine it with the boats. I did not sound, because the situation of the ship with a fresh north-easterly wind, which brought it direct to leeward, prevented any heaving too, to sound, and it was not possible to get bottom when the ship was under way.

I with others, regret that my situation prevented me from ascertaining it more particularly, but can with confidence say, that it will not admit of a doubt that it is a shoal of considerable extent and danger; and I should recommend to all navigators to be very cautious, and keep a very good look out in passing it.

"The mean of two distances of the sun and moon on the 4th and 5th January, worked up to the time when the shoalest place was bearing W. N. W. makes it to lie in the longitude of 22°, 58' 22" east from London; and by a good observation by the meridian altitude of the sun, in the latitude of 35° 05' south, the longitude of the above place by the means of four reckonings, brought forward to the above bearings 23 6' 45" east from London, was boarded five days after this discovery by the *Lord Duncan*, Captain Hart, and his chronometer would place it about 40 mile further westward, but his distances by sun and moon nearly the same."

NATURAL HISTORY.

Description of the Banian tree, on the banks of the Nerbudda.

This tree is one of the most celebrated throughout Hindostan; it may be considered as one of the most wonderful of all the productions of bountiful nature; and in this matchless climate, where the earth is for ever fruitful and abundantly luxuriant, it flourishes with eternal verdure, and from the wonderful nature of its growth, forms an extensive grove, nearly impervious to the intense rays of the sun, and abounding with numerous and various inhabitants. The Hindoos, who venerate this tree unto adoration, call it the bur-tree. Many of them are found of vast extent, and as they are continually increasing in size, they may be said to be exempted from that curse which hangs upon every other of nature's works having animal or vegetable life and which renders them liable to decay: but this tree defies even, the flow and certain progress of time to sap its vitality; for every branch, emanant from the great trunk,

trunk, arriving at a certain age, shoots forth many small fibres, which, increasing in length and thickness, bend downwards to the earth, whose surface they gradually reach, and, penetrating into the ground, take root, and themselves become parent trees by again shooting out young branches, which grow up in like manner, and like them bend downwards again, after having reached a certain height, and again take root. By this singular mode of growth, every branch becomes the parent of many trees, all of which multiply in a like proportion, and all remain connected to each other, growing to immense arches, and forming vast festoons, which gradually spread over an amazing extent of soil, and from one original trunk form a large and beautiful grove. No limits are ascribed to the extent of this tree; for as long as it finds a sufficiency of soil capable of affording it nourishment, it extends its verdant foliage. When we consider the great value of this tree to the natives of so warm a climate as that of India, under which it is ever a cool shade, we cannot be surprised that the Hindoos, are so peculiarly attached to it. Theyconsider and venerate it as an emblem of the great Deity whom they adore; and as they contemplate its never-failing strength, its vast and out-stretching arms, and its lovely and overshadowing protection from the extremes of weather, they humble their minds before their Creator, and are almost ready to yield divine honours to so great a work.

As there are so many solitary and cool recesses, so many delightful walks and charming avenues, all impervious to the fiercest and most powerful beams of a tropical sun, within the circuit of one of these trees, many Brahmins spend the whole of their lives veiled in the gloomy shroud of religious awe, within their shades; and they are not only the resort of these devotees, but are frequently the scenes of mirth and pastime to all the Hindoos, who are happy to unbend in these sweet retirements.

The tree was formerly of much greater extent: but the mighty and turbulent waters of the Nerbudda have borne down a considerable part of the bank upon which it stands, and the floods have carried away many of its roots; yet is the circumference of the principal body of the tree upwards of two thousand feet, but the space contained by the overhanging branches is of vast extent.* The larger boles are three hundred and fifty in number, and the lesser stems, whose business is to nourish the branches and pendant roots, exceed three thousand.

This beautifully verdant canopy was filled by myriads of birds, whose brilliancy of plumage, and gaiety of song, charmed the numerous travellers that rested in the shade, and formed a most sweet and enlivened picture. Numerous families and tribes of monkeys also possessed large colonies amongst the branches; and it is amusing to watch their wonderful evolutions, and ludicrous contortions of visage, which they exert the more they are gazed at. It is diverting, as well as interesting, to contemplate the great

* There are long avenues of the Banian tree in the Tanjore country and the Carnatic, and still more in the kingdom of Travancore. There is a remarkable tree of this description near to the city of Travancore, which is nearly circular; where it is bisected by the road, it measures 979 feet in diameter from the extremity of the branches on the one side to the other.

great degree of affection the parents shew towards their young and inexperienced offspring; and many an ignorant, and cruel mortal, may here learn, from animals ungifted with reason, lessons of truth and humanity, which his pretended superiority had never imparted to him. The old ones take vast pains, and are extremely assiduous in teaching the young ones how to find their food; and, by vigorous example, shewing them how to skip from bough to bough, and, occasionally, in what manner they are to exert themselves in order to take more extensive bounds. Nothing can be more entertaining and laughable than the various expressions of their countenances, which so strongly evince their fluctuating passions: sometimes it is necessary for the elders to use conciliatory measures with their progeny, and encourage them to follow the example before them, by endearing tokens of their affection; this their more tender mode of procedure is generally used when the young chits are timorous, but when they appear obstinate, the parents become quite outrageous, and evince the violence of their passion by the strongest gestures, grinning horribly, and gnashing furiously with their teeth, while their eyes literally shoot fire upon their ignorant and untoward brats.

The manner in which these singular animals destroy their inveterate enemies, the snakes, which haunt these bowers in vast numbers, is so curious, and so well worthy of observation, that it cannot be passed by unnoticed. Being too well acquainted with the direful malignity of these foes to all animated nature, they attentively watch their motions, until they perceive them fast asleep; of which they are no sooner certified, than they creep towards them with the utmost caution, and seizing their enemies fast by the neck, haul them to the nearest flat stone, upon whose surface they immediately grind down the head, by dint of violent friction; ever and anon stopping to breathe a little, and to take a proper grin at the progress of their work. When the relentless operator has demolished the head so far as to be well assured that the venomous fangs are utterly destroyed, he gives the victim of his hate to the rising generation of his tribe for a plaything, and their exultation is conspicuous in all their motions, as they toss the unarmed reptile from one to another.

The blessings that are produced in this astonishing production of nature are as numerous as they are valuable. It not only provides the various animals that resort to it, with a place of residence no where to be equalled for comfort and convenience; but it also furnishes never-failing resources for sustenance to every one of its inhabitants. It produces vast quantities of small figs, which are of a bright scarlet colour, and are much valued by the animals who abide amongst the branches; birds, bats, and monkeys, alike devour this fruit with an uncommon voracity; and while the famished travellers are seated in circles upon the ground, refreshing themselves by a cool and delightful repast, these animals may be seen over head, regaling with this, to them, delicious fruit.

THE PALMIRA.

This tree is the Borassus flabelliformis of Linnæus, the *tal* or *tar* of Bengal, and the *Panna Maram* of

of the Tamuls. In many parts of India, it grows almost spontaneously. It thrives best in a strong black clay, next on the red soil, commonly used for *ragy*;* it will also grow on poor sandy soil, but its produce is then very small. When a new plantation is to be made, the ground is ploughed twice in the month of *Adi*, (from the 13th of July to the 13th of August.) The fruit for seed is gathered in the beginning of this month, and kept in a heap until the end; when the field is ploughed a third time, and the seeds, having been separated, are put into the ground at the mutual distance of three cubits.—They are placed in the bottom of a furrough after the plough, and are covered by the next. For nine or ten years the young palms are secured from the cattle by a fence, and require no further care. At this age they are about six feet high; and as cattle cannot then injure them, the fences are removed, and the garden is used for pasture.

When the trees have been planted in a good soil, they begin in thirty years to produce *Callu*, or *Palmira*-wine; but in a poor soil forty years are required. When they have arrived at maturity, the ground, between the trees, is cultivated every year from grain; but this, although it increases the quantity of *Palmira-juice*, yields not more than one-half of what the field would do, were it not planted. This palm is supposed to live above a thousand years; that is, it lives longer than can be ascertained by tradition. No care is taken to plant young trees in place of the old ones that have been destroyed by accident, or by old age; but young ones spring up in the empty spaces from the fruit that drops from maturity. It is to be observed, that in most of the plantations, the trees are at great distances; and it is said, that many of the young ones are cut down for their cabbage, or central young shoot, while the bears and wild hogs eat most of the fruit that falls.

This palm produces juice five months in the year, from about the 11th of January, until the 11th of June. The stem must be cleared from all the roots of the branches, which is attended with a good deal of trouble, and the workman mounts by means of a strap passed round his back, and a rope round his two feet. An active man can manage forty trees, but an awkward fellow will only manage fifteen.† They are all of the cast called *Shanan*, or, in the plural, *Shanar*. Before the bursting of the membrane, which covers the flowering branch, and which botanists call the *Spatha*, the workman bruises it between two sticks,‡ for three successive mornings. On each of the four following mornings, he cuts from its tip a thin slice. These operations prevent the *spatha* from bursting, and on the eighth morning a clear sweet liquor begins to flow from the wound. A pot must then be suspended, so as to collect the liquor, as it drops from the *spatha*. A good tree will give daily

* A kind of corn.

† The work of these men is generally completed before Sun-rise.

‡ This operation is called by the natives *shampooing*, and is supposed to have the effect of stimulating the circulation in the part, or of converting the green substance, or unsettled fibre of the branch, into juice.

daily about three ale-quarts of juice, a bad one about a sixth of that quantity. If the juice is to be boiled into *Jagory*, a little quicklime must be put into the bottom of the pot in which it is collected, in order to absorb any acidity, and thus to prevent fermentation. This is not done when the juice is intended for drinking, as then the stronger it ferments so much the better wine will be produced.

The juice of the Palmira is manufactured into a coarser sort of sugar, and is afterwards distilled into a spiritous liquor.

The *Shanar* rent the trees, paying a certain sum annually for each, from eight to thirteen shillings sterling.

USEFUL ARTS.

MANUFACTURE OF CANVAS.

It is highly satisfactory to notice the successful progress of such institutions, whether of science, of art, or manufacture, as have been introduced into the Asiatic colonies of Great Britain, by the genius and enterprizing spirit of her adventurous sons, and more especially the quick progression from rudeness to excellence of many useful arts, which, though lately unknown in Bengal, are now leading to results at once profitable to the colony and advantageous to the mother country.

The instance of improvement about to be alluded to, is the manufacture of canvas, which, within the six or eight immediately preceding years, has, in the province of Bengal, under the auspices of British industry, been reared from a state of imperfection, to a useful and creditable rank in the catalogue of British Indian manufacture.—The *Paut* has been very properly excluded from the manufacture of Bengal canvas. It is now prepared entirely from the *Sunn*, a plant erroneously supposed to be the *Cannabis sativa* of Linnæus. Though it be not hemp, yet the Bengal *Sunn* affords, when properly prepared and manufactured, a product nearly, in all respects, equal to the best English canvas. It is not merely in the material, that improvement has been introduced: the machinery for cleaning and spinning the raw material, and the looms, also, are particularly improved, and the whole conducted on the most approved plan of European artists, and with such success that, in the course of two or three years, the use of European canvas will, probably, be entirely excluded from the service of India.

The importance of this branch of manufacture in a British colony is sufficiently obvious. The indispensable necessity of large supplies of canvas, for the service of the British navy, and for her commercial fleets, for a great, if not the principal, part of which England is now dependent on Russia, are facts which, the more they are considered, the more we shall be inclined to think favourably of every attempt, that shall lessen or remove the necessity of dependence on foreign supplies.

The following extract of a letter is, among other numerous testimonials, in proof of the excellence of this article of Indian manufacture.

Extract of a Letter from Captain Gilchrist, of the American Ship Caravan, dated Prince of Wales's Island, the 24th of June, 1807.

"I do not forget that, on leaving Calcutta, I promised to give you

you an account of the canvas, supplied from your looms. I am happy to assure you, that the service it has undergone declares the excellence of its quality, and which has proved, far beyond even my sanguine expectations, and your own assurances in its favour. It will be sufficient to say, that I had it in constant use from Bengal to America, thence to Europe, and again back to America, and from America to this port, where, upon examination of my sails, I expect that they will carry me hence to Canton, and thence finally back to America.

"When the people of America become a little more acquainted with the quality of your Indian canvas, I have no doubt of its becoming a considerable article of importation from Bengal to the United States. The difference in the price of your canvas and European duck is incomparably greater than the difference in the value of the canvas. For light sails I should prefer your Bengal cloth to that of Europe. Could you get your workmen into the way of making a greater difference in the numbers, and also to make the filling considerably larger, the canvas would be materially improved, as the cloth invariably split length-ways, owing, in my opinion, to the fillings not being sufficiently heavy."

The canvas alluded to in the preceding extract, was made in the manufactory of Messrs. Torry and Jones, two ingenious artists at Calcutta.

SACK-CLOTH.

At *Bangalore*, as well as in all the neighbouring country, and, indeed, in almost every part of India, *Goni* is a considerable article of manufacture. It is a coarse, but very strong sack-cloth, from 18 to 22 cubits in length, and from ½ to ¾ of a cubit broad; and is made from the *Janupa*,* or *Crotalaria Juncea*. It is divided into three kinds, which differ in value according to their strength, and the closeness of the fabric. The same people, who are a particular cast of men, cultivate the plant, and carry on the manufacture, until the *Goni* be fit for sale; the price of the hemp cannot therefore be ascertained, as it is not sold in that state. The *Goni-maker* hires from some farmers as much high ground, as he thinks will raise a quantity of *Janupa* sufficient to employ his family to manufacture in one year. The soil ought to be red or black, like the best kinds used for the cultivation of *Ragi*. It is allowed no manure; and the seed is sown broad cast on the ground, without any previous cultivation, at the season when the rains become what the natives call male, that is to say, when they become heavy. After being sown, the field is ploughed twice, once lengthways, and once across; but receives no farther cultivation. At other times the *Janupa* is cultivated on rice ground in the dry season; but it must then be watered by a canal, or reservoir. It requires four months to ripen, which is known by the seeds having come to full maturity. After being cut down, it is spread out to the sun, and dried. The seed is then beaten out by striking the pods with a stick. After this, the stems are tied up in large bundles, about two fathoms in circumference, and are preserved in stacks, or under sheds. The bundles are taken out as wanted, and put in the water, at which time

* Or Shanapu.

time their bands are cut, and the stems being opened out, are kept down to the bottom by stones or mud. According to circumstances, they require to be kept in the water from six to eight days. They are known to be ready, when the bark separates easily from the pith. It is then taken out of the water, and a man, taking it up by handfuls, beats them on the ground, and, occasionally, washes them until they be clean; and, at the same time, picks out, with his hand, the remainder of the pith, until nothing except the bark be left. This is then dried, and being taken up by handfuls, is beaten with a stick to separate and clean the fibres. The hemp is then completely ready, and is spun into thread on a spindle, both by the men and women. The men alone weave it, and perform this labour in the open air with a very rude loom.

RURAL ŒCONOMY.

CHELANDI ARISI.

To the Editor.

SIR,—As the most valuable class of cultivators must remain unemployed, until water flows on their fields, and the lower tribes are so poor, as scantily to procure subsistence, even in favourable seasons, it may be of some utility, again to mention the relief obtained by these descriptions of people; towards the eastern extremity of Manara, under circumstances of defective rains, at the season of cultivation; by digging up the *Roots of a grass*, named there *Chelandi Arisi*, and using it as food.

Notwithstanding the publication of this use made of the *Chelandi Arisi* some months ago, I cannot find that any country in the Peninsula, has ever applied it to culinary purposes; excepting such as I have stated in another paper; so that I have had some difficulty in procuring its proper name, in the different languages spoken on this coast.

As the publication of these names, however, may enable your readers to direct necessitous persons to this Grass root, in case of being otherwise unable to relieve their wants; I am now enabled to inform you, that it is called Chelandi arisi; or Spider's Rice, in the Tamul of Tinnevelly; *Pilli arisi*; or Grass Rice, in Carnatic Tamul; and *Toonga Bium*, or cypherus Rice, in Talinga—the word *Toonga* being the generic name of cypherus grass in that language.

In the Sanscrit, I am given to understand, it is called *Poor. Bium.* In Talinga, *Bium* is Rice as is *Arisi* in Tamul; but the literal meaning of *Poor*, my source of information has not afforded. As these names however, may serve as an Index in case of necessity; you will oblige me by the insertion of this letter.

Perhaps some of your readers may be able, and desirous likewise, of giving some account of it in the Tamul and Talinga; which would prove a means of making people more readily acquainted with it to advantage. *Mr. Duncan*, at Cuddalore, and *Mr. Westcott*, at Palicarne, in this neighbourhood, have furnished me with fresh samples collected at those places; and I have reason to think, it exists along the whole coast, although not in such quantity, as on the coast of Manara, where I found it was nourished by the waters of the sea, without depending on rain for its support, and thus becomes an object highly interesting in case of general scarcity.

I. A.

KEW

KEW NOPAL.

"Being credibly informed that not less than 20,000 cattle, chiefly Buffaloes, have lately died within thirty-miles of this place for want of forage, I beg leave to direct attention to the cultivation of a plant sent here by the Honourable Court of Directors, and still known by the name of Kew Nopal—of which that animal is so fond, that I have had some difficulty to preserve even the best-rooted plants from their depredations.

"The plantations made in the Northern Circars, were eaten up by the people in the year 1792, when that country was afflicted by famine, but in Tinnevelly last year, I had plants of it brought me to Tutacorin by the fishermen from different parts of the coast, and at Couttallum, the Collector was so obliging, as to have Kew Nopal plants forwarded from Alvatinnevelly, and other parts of the country, which I took every care in my power to see planted in favourable situations, indeed some of the Polygars thankfully received at my hands seeds of the Bastard Cedar Tree and Guinea Grass; and before I left Couttallum, I had plantations of Guinea Grass made in the Ravines of the mountains at seven different places, that there should remain no chance of its ever being lost in a country where the Months of February, March, April, and May are so hot and dry, that when the rains fall in June, many of the cattle carried out to the plough, unable to return home, are left all night on the open ground.

"J. ANDERSON.

"Jan. 1808."

CULTIVATION OF THE GRAPE.

An experiment is now making in the large garden of Sir Miguel de Souza, at Mazagon, in the cultivation of the vine; which is likely to increase the produce, and considerably lessen the expense which has hitherto attended the raising of the grape in Bombay. An European Portuguese, from the regiments at Goa, thoroughly versed in the husbandry of Portugal, has been brought hither. He has laid out a piece of ground precisely in the style they adopt in that country in arranging vineyards for the production of wine. The soil has been carefully turned up to the depth of 4 or 5 feet, every large stone has been removed, and the vine cutting placed nearly at the same depth. Some agriculturists have doubted the propriety of digging the ground so deep, but when it is considered, that, by this means, the plant has an opportunity of drawing moisture, from a depth where moisture continues long without evaporating, the advantage of it will no longer be called in question. This circumstance also brings to our recollection the practice which we have been informed by travellers in Persia, prevails in that country, of planting the vine at the bottom of a hole six or eight feet deep, and allowing the tendrils to creep on the sides of the pit.

The mode of cultivation here recommended would almost seem to be alluded to in the following lines of the immortal Pope.

"Depending vines the *sheltering cavern* screen,
"With purple clusters blushing thro' the green."

MANURES.

MANURES.

A good deal of attention is paid to manuring the soil. Every farmer has a dunghill, which is prepared by digging a pit of sufficient extent; in this is collected the whole of the dung and litter of the cattle, from the houses where they are kept, together with all the ashes and soil of the family. The straw, and various leaves intended to be used as manures, are never mixed with the dung. The farmers, who are within two miles of the city, send bullocks with sacks, and procure from the *Halal*, or sweepers, the ashes, ordure, and other soil of the town. This also is kept separate from the dunghill. The straws of various crops, as before-mentioned, are reserved for manure; and to these are added various leaves of wild plants;—the *Cogay Sopu*, or *Galega purpurea*; the *Hoingay Sopu* or *Robinia mitis*; the *Tumbay Sopu*, or *Phlomis esculenta*, of Dr. Roxburgh's MSS.; the *Ugany Sopu*, a *Convolvulus*; the *Atty Sopu*, or *Ficus glomerata* R.; the *Umutty Sopu*, or *Datura metel*; and the *Yeccada Sopu*, or *Asclepias gigantea*. These leaves, and the straw, are the manure given to rice ground in the *sprouted seed* and *transplanted* cultivations. When the field has been reduced to mud, a sufficient quantity of the manure is trampled into the puddle, and, with the moisture and heat of this climate, soon rots. The dung in every part of *Mysore* is, most commonly, carried out on carts, which are applied to scarcely any other purpose. The city soil is not only reckoned best for sugar-cane, but is also given to various grains. The use of lime as a manure, is totally unknown to the natives, who, indeed, consider all ground, naturally impregnated with that substance, as very unfit for most kinds of cultivation. This accords well enough with the theory of Lord Dundonald, who supposes that lime is useful by promoting the putrefaction of inert vegetable matter. The heat of the climate is here sufficient for the purpose, and the lime, which in a cold climate may be necessary, would be here destructive, by exhausting the vegetable matter too quickly.

HIRE OF SERVANTS,

EMPLOYED IN HUSBANDRY.

The hire of farmers' labourers at *Seringapatam*, and generally within two miles from the city, when employed throughout the year, is ten *Sultany Fanams*, or 6*s*. 8½*d*. a month. The servant lives in his own house; and it is customary for the master, on extraordinary occasions, such as marriages, to advance the servants money. This is not deducted from his wages by gradual instalments; but is considered as a debt, that must be repaid before the servant can leave his place. In case of the servant's death, his sons are bound to pay the debt, or to continue to work with their father's master; and, if there be no sons, the master can give the daughters away in marriage, and receive the presents that are usually given on such occasions, unless these should exceed the amount of the debt. In harvest, the daily hire of a man is six *Seers of Paddy*. A woman transplanting rice gets daily one-fourth of a *Sultany Fanam*, or about two-pence. The only servant that does work in the house of a farmer

mer is a woman, who comes once a day to sweep the house, and for her trouble receives a piece of cloth once a year. The women of the family cook, fetch water, and perform all other family labour. The servants are both Súdras and Whalliaru; but seven-tenths of the whole are of the former cast.

Six or seven miles from town, the monthly hire of a servant is eight *Fanams*, or about 5*s*. 4*d*.— Farther from the city, the hire is one *Fanam*, and eighty *Seers* (or a little more than eleven pecks) of grain, of which one-half must be *Ragy*, and the remainder of such kind as it may be most agreeable to the farmer to spare.

POETRY.

THE SEVEN LOVERS,* *from the Oriental Tales.*

Four friends, good Mussulmen, 'tis said,
As e'er to Alla bow'd the head,
For sins not lightly to be told,
But doubtless great and manifold,
To Mecca steer'd their pious course,
Ere matters should become yet worse:
The first, a Carver skill'd; the second,
Of Jewellers the prime was reckon'd;
The third, a Derwish; and the last,
A Tailor—of no common cast.
The story adds, they were, beside,
In friendship still so close allied,
That whether at the fountain sweet
They slaked their thirst, or sat at meat,
At rest, or on adventure bound,
Together they were ever found.
Was one alarmed! each swelling breast
Alike a stranger seem'd to rest;
One soul inspir'd them, and yet more,
One purse contained their worldly store!
'Twas evening, in a desert wild,
Where never nature bounteous smil'd,
Where monsters, foes to human kind,
At midnight glar'd astride the wind —
Around them stretch'd a heathy sod,
By foot of mortal seldom trod,
Save some lone wanderer fall'n astray,
Or robber, prowling wide for prey:
When prudence, ever at their side,
By night their shield, by day their guide,
Thus pour'd her dictates in each ear;
" Keep watch by turns, and nothing fear."
'Twas first the Carver's lot, we find,
To guard his friends, to sleep resign'd;
Who, lest the same seductive god
Should stretch o'er him his opiate rod,
Drew forth his implements of art,
And, from the remnant of a cart,
Axle, or beam, no matter which,
What cannot taste with skill enrich?
A female carved, of form so rare—
Such graces wantoned in her air,
Such undulating beauty flow'd
Through every limb, that lived, that glow'd!
So soft her bosom seem'd to rise,
All panting to the ravish'd eyes,
That art had here, it might be thought,
Far more than ever nature wrought,
Had * * * ne'er to man been given,
To shew what beauty brightens heaven.
The Jeweller, fast lock'd in sleep,
Was rous'd, the second watch to keep.
His cautious eye he glanc'd around,
And, unadorn'd, upon the ground,
Saw

* This Tale, selected from *Hoppner*, R. A. is founded on a story related in the *Tooti Namah*, or Tales of the Parrot. How much novelty in circumstance and sentiment, has been added to the slight incidents and machinery of the primitive Tale, and how much art has been displayed in blending and harmonizing the whole, may be readily discovered by a comparison of the imitation, for it cannot be called a translation, with the original. *Hoppner's* fame in his own art stands so universally admitted, that any allusion to it would seem superfluous; but his name, as coupled with the sister art of poetry, is not well known, or at least not so generally familiar to us; and yet, perhaps, such is the distinctive difference between these rivals, that the sportive cultivation of the one, in an idle hour and on ground previously tilled, may procure a more lasting reputation, even than the whole labour of a life devoted to the pursuit of the other. It is difficult to read these simple, but well-told tales, without wishing, though now the wish were vain, that the painter's employment had been less, and the poet's more.

Saw all that naked charms could boast;
But naked charms are—charms at most!
Much he admir'd the carver's art;
And, emulous to bear a part,
"Since," he observ'd "my dexterous friend
Can to a log such beauty lend,
'Tis fitting I my comrades treat,
And render what is fair complete."
So saying, from his precious store,
He drew his bulse his glittering ore;
And to each arm's enchanting round
A sparkling band of rubies bound:
Her neck with gems of various size
Illumin'd, like the starry skies,
Exhausted every precious stone,
Till one bright blaze of light she shone!
Of dreary night two portions spent,
The Derwish his protection lent;
But first to pray'r himself addrest,
A pious duty after rest.
His eyes to heav'n about to raise,
Were charmed to earth—compelled to gaze,
With chasten'd rapture, on a form
That one e'en more devout might warm.
With zeal now burning to prepare
For paradise a thing so fair,
In supplication low he pray'd
It then might breathe a living maid,
Endow'd with every winning grace
Befitting such a shape and face.
His fervent pray'r was heard above—
And first, her tongue began to move,
Her eyes then roll'd, her warm heart beat,
And, lastly, reason took its seat.
At the fourth watch, reluctant rose
The Tailor from his lov'd repose,
And seeing one divinely fair
Before him stand, all gold and glare
"O heav'ns!" he cried, "with solemn sneer,
What incongruities are here!
A maiden as an Houri fair,
Hung round with gems—yet bare, quite bare!
Ah, why do thus the human race,
Reason, that gift of heav'n, debase,
And still prefer with strange abuse,
Vain ornaments, to things of use?
Shall I, with pow'r to save sit by,
And see her draw the vulgar eye
With what (I speak with honest pride)
My art, and mine alone, can hide?
Forbid it, heav'n!—and forth he drew
His needle thimble, silk to sew,
And form'd a robe of woof most rare,
That lightly wanton'd in the air;
Each flowing fold an ambuscade,
Where little laughing Cupids play'd.
Now in the east resplendent shone,
Chacing night's lingering mists, the sun,
And every blade its gilded crest
In homage rais'd, and morn confest.
But friendship, that, till this mad hour,
Had strew'd the way with many a flow'r,
To sharp contention quickly turn'd;
And each swol'n breast with anger burn'd.
Beauty had wove the cruel snare
With ringlets of her flowing hair,
With nods and glances, potent wiles,
Dissembled frowns, and dimpled smiles!
Ardent for conquest and a wife,
All four unbar the gates of strife.
"Behold" the carver cries, "behold
A prize above the reach of gold,
A worthless log it lately lay,
Bare to the sun's all-scorching ray,
Wither'd by every wind that blows—
A lure to dogs, a perch for crows.
Till wrought to this by skill divine;
And need I boast that skill was mine!"
"This" cry'd the Jeweller, thy claim?
Undeck her, and behold the dame;
Without the stars, the desert skies
Attract no gazers charm no eyes;
Without the casket's shining train,
A log, in worth, she might remain."
"Thus," cry'd the Derwish, "men ingrate
The choicest gifts of heaven still rate!
Set wealth and skill, dreams of an hour,
In balance with almighty power!
What is her form, her precious store,
The rakings of Golconda's shore,
Compar'd with life, and thought more rare,
Blessings I humbly sought in pray'r?"
The Tailor fiercely cock'd his chin,
And with shrill treble join'd the din;
"And shall a carver's paltry taste,
Or thy more tawdry, paltry paste,
Shall superstition's whining cant,
A crazy Derwish's idle rant,
Absurdly rank with art sublime,
Deriv'd to me from earliest time?
Art without which the fairest maid
May waste her sweetness in the shade,
While bones and parchment well attir'd,
Stream haughty by, to be admired!"
Much time in fruitless wrangle spent,
They one and all at length consent,
That he who first, perchance, pass'd by,
The merits of their claims should try.
Not long in wild suspense they stay,
A sturdy Ethiop cross'd their way;
To whom each told his tale, each sure
A partial verdict to procure.
The crisp-hair'd judge beheld the prize
With beating heart, and ravish'd eyes;
And.

And, stretching forth the arm of lust,
" O blessed Allah! heav'n is just!"
He cry'd, and seiz'd the trembling fair;
" Behold my wife!—By what dark snare
What foul deception ye possess
My best belov'd, ye'll soon confess:
Full many a tedious moon hath wan'd,
Since tidings of my love I gain'd;
Full many an anxious hour I stray'd—
How wert thou. dearest, thus betray'd?
But to the vizier quick away—
Their crimes with torments he'll repay;
Torments proportioned to the wrong
I've born so heavily, so long!'
To the tribunal driv'n amain,
The Ethiop told his tale again.
There are, O grief to think! who find
Justice not always quite so blind;
For truth and falsehood pois'd may seem,
When passion mounts, and turns the beam.
Beauty unveil'd the Vizier views,
That his weak virtue soon subdues;
Her living bloom, and mingled white,
Promis'd sweet draughts of rich delight;
While his fond soul suspended hung
Her flowing tresses dark among,
The voice of woe he artful rais'd;
" O wonder not I seem amaz'd,
A brother's widow who behold,
He slain, his jewels gone, his gold;
And she, who worship might inspire,
A prey to lawless, rank desire!
But for the loss I sadly moan,
Your forfeit lives shall soon atone."
This said, he quits the judgment seat;
The wretched culprits, threaten'd, beat,
Are to the Sultan hurried, pale,
Who hears the accuser's monstrous tale.
The monarch, proof to wily art,
Unguarded left his easy heart,
Which, through his eyes, soon felt a wound
Whose balm in love is only found.
Love, ever fertile in device,
And, so he gained his end, not nice—
The thought conceiv'd, he sternly cry'd,
" Ye fiends of fraud, in guilt allied;
Base lurking slaves, with mischief fraught,
Long your dark haunts I've vainly sought.
This fair one whom amaz'd I view,
Her life's-breath in the palace drew;
By sacred ties together bound,
A paradise in her I found;
But jealous as I then believ'd,
She fled my haram, unperceiv'd;
And with her took a countless store
Of sparkling gems, and golden ore.
Yet fortune hath my slave restor'd;—
Ungrateful, still, alas! ador'd;
But ye, who bore my wealth away,
With bondage shall the loss repay."
Fame soon proclaim'd aloud th' event,
And forth the long-ear'd rabble went;
Both eyes and mouths now open wide
Their flood-gates to receive the tide.
The tale was strange, and new the strife;
Seven candidates for one poor wife.
Nor were they less amaz'd to find
The claimants of such different kind,
Yet each a plausive story fram'd,
That seeming equal credit claim'd,
And left the curious idle rout,
Just at the point they first sat out.
At length a Pir,* all hoar with age,
And deeply read in wisdom's page,
First bowing to the royal will,
His sage advice did thus instill;
" The contests which our minds divide
Man, all too weak, can ne'er decide;
For having appetites that bend
Our judgments to their partial end,
While fancy mounts to urge the steeds,
And drives were lust, or rapine leads.
A short day's journey east, there grows
A tree, whose old and mystic boughs,
Far in the clouds of heaven conceal'd,
To mortal eye are ne'er reveal'd,
Its seed-root strikes the depth profound;
Its fibres clasp this mighty round;
What wisdom baffles, power defies,
There truth shall solve before your eyes.
Thus saying, instant all assent;
Towards the tree their steps they bent;
Attended by the passive dame,
Whose beauty fann'd their raging flame,
There each his story artful weaves,
And prints it on the listening leaves;
Each bows his forehead in the dust,
And supplicates a sentence just.
That instant wakened all their fears—
Terrific sounds assail their ears;
Through the deep gloom quick lightnings dart,
The trembling earth appals each heart;
When, from the inmost pith, the trunk
(A sight from which scar'd nature shrunk)
With dreadful rent now yawning wide,
Receiv'd, then clos'd upon, the bride!
While, from the mouths of million leaves,
A voice, of sense the throng bereaves;
A fearful voice, as thunder loud
That issues from the bursting cloud;
" In crooked paths no longer tread,
By truth eternal be ye led;

And,

* A magician, a prophet, one endowed with supernatural powers.

And, O, this awful lesson learn,
To their first state all things return!"
With anguish and with shame oppress'd
Each claimant smote his guilty breast;
In silent sorrow homeward trod,
Confess'd heav'n just, and kiss'd the rod.

TO

A LADY WEEPING.

BY

EBN ABRUMI.*

When I beheld thy blue eye shine
Thro' the bright drop that pity drew,
I saw beneath those tears of thine
A blue-ey'd violet bath'd in dew.

The violet ever scents the gale,
Its hues adorn the fairest wreath,
But sweetest thro' a dewy veil
It's colours glow, its odours breathe.

And thus thy charms in brightness rise—
When wit and pleasure round thee play,
When mirth sits smiling in thine eyes
Who but *admires* their sprightly ray?
But when thro' pity's flood they gleam,
Who but must *love* their soften'd beam?

ON TEMPER.

BY

NAGEBUT BENI JAID.

Yes, Lelia, I swore by the fire of thine eyes,
I ne'er cou'd a sweetness unvaried endure;
The bubbles of spirit, that sparkling arise,
Forbid life to stagnate, and render it pure.

But yet, my dear maid, tho' thy spirit's my pride,
I'd wish for some sweetness to temper the bowl;
If life be ne'er suffer'd to rest or subside,
It may not be flat—but I fear 'twill be foul.

TO

A Lady upon seeing her Blush.

BY THE

KALIPH RAHDI BILLAH.

Leila, whene'r I gaze on thee,
My alter'd cheek turns pale,
While upon thine, sweet maid, I see,
A deep'ning blush prevail.

Leila, shall I the cause impart,
Why such a change takes place?
The crimson stream deserts my heart,
To mantle on thy face.

On

* This, and other light pieces, comprised in the present selection, are taken from *Carlyle's* specimen, written during the *Kaliphat*, the golden age of Arabic Literature. They are said, with few exceptions, to be as literal translations, as the dissimilar idioms of the two languages would allow: But without detracting from the merits of the originals, to pay a willing and deserved compliment elsewhere, it may be presumed, that much of the beauty and interest of these compositions is derived from the taste and skill of the hand, which has gathered together, from scattered and obscure retreats, and presented us with these flowers, not ungracefully disposed, of ancient Arabian Poetry. The spirit of the translator is so happily transfused into his works, that each of them might have passed for an original effort to restore simplicity to its long-neglected sphere. His prose, whenever introduced, is a practical comment on the pure style of his poetry.

Each of the specimens is prefaced by a short notice of the author—and the progress and state of poetry, and by a brief history of the circumstances and times at which it was written, interspersed with occasional and edifying anecdotes. Mr. Carlyle has venturously outstepped the ordinary boundaries of the province of the translator, and is entitled to the fame of enlarging his domain, without that guilty ambition, rarely separable from the acquirement of new dominion.—The first edition of the specimens, issued from the press of the University of Cambridge—a second has been published in London.

ON THE

CAPRICES OF FORTUNE.

Written, as is supposed, in his exile, by Shems Almaali Cabus, the dethroned Sultan of Georgia.

Why should I blush that Fortune's frown
Dooms me life's humble paths to tread;
To live unheeded, and unknown;
To sink forgotten to the dead?

'Tis not the good, the wise, the brave,
That surest shine, or highest rise;
The feather sports upon the wave,
The pearl in ocean's cavern lies.

Each lesser star that studs the sphere
Sparkles with undiminish'd light;
Dark and *eclips'd* alone appear
The lord of day, the queen of night.

ON THE

INAUGURATION OF HAROUN ALRASHID *and the appointments of* YAHIA *to be his Vizier.*

BY

ISAAC ALMOUSELY.

Th' affrighted sun awhile had fled,
And hid his radiant face in night;
A cheerless gloom the world o'erspread
But Haroun came, and all was bright.*

Again the sun shoots forth his rays,
Nature is deck'd in beauty's robe—
For Mighty Haroun's sceptre sways
And Yahia's arm sustains the globe.

ON A CAT

That was killed as she was attempting to rob a Dove-house.† By Ibn Alalaf Alnaharwany.

Poor puss is gone! 'Tis fate's decree,
Yet I must still her loss deplore,
For dearer than a child was she,
And ne'er shall I behold her more.

With many a sad presaging tear,
This morn I saw her steal away,
While she went on without a fear
Except that she should miss her prey.

I saw her to the dove-house climb,
With cautious feet, and slow she step't,
Resolv'd to balance loss of time
By eating faster than she crept:

Her subtle foes were on the watch,
And mark'd her course, with fury fraught,
And while she hop'd the birds to catch,
An arrow's point the huntress caught.

In fancy she had got them all,
And drunk their blood and suck'd their breath;
Alas! she only got a fall,
And only drank the draught of death.

Why, why was pigeons flesh so nice,
That thoughtless cats should love it thus?
Hadst thou but liv'd on rats and mice,
Thou hadst been living still poor Puss.

Curst be the taste, howe'er refin'd,
That prompts us for such joys to wish,
And curst the dainty where we find,
Destruction lurking in the dish.

* These lines call to mind POPE's distich on Newton—
"Nature and nature's laws lay hid in night,
"God said let Newton be—and all was light."
The similarity, perhaps, may be more in the translation than the original.

† It is stated, in the short account of the Poet, to whom these verses are ascribed, that some historical event is imagined to be hidden under this supposed allegory. But why may not the Arabian Poet have given one life more to the domestic animal that is said to have so many? This is not the first time, that an humble subject has grown into celebrity from caprice, or a still less commendable motive. The sober and stedfast muse of our own Gray, has not disdained to throw off a part of its natural sternness to become playful; to this sportive humour, it will be recollected we are indebted for the celebrated ode on the death of a *Cat*, drowned in a tub of gold fishes.

Cannot the manner of Goldsmith in his verses on a mad dog, be traced to some of the odd turns in this whimsical production? But such sort of trifling is so common among ourselves, that he need not have travelled so far for an example.

ACCOUNT OF BOOKS.

A Treatise on Hemp, *including a comprehensive account of the best modes of cultivation, and preparation, as practised in Europe, Asia, and America; with observations on the Sunn Plant of India, which may be introduced as a substitute for many of the purposes to which Hemp is now exclusivley applied.* By Robert Wissett, Esq. F. R. and A. S. Clerk to the Committee of Warehouses of the East India Company. With an Appendix, on the most effectual means of producing a sufficiency of English Grown Hemp, by the Right Hon. Lord Somerville. Royal 4to. pp. xvi. 296. London, Harding. 1808.

The title of this work, which we have given at length, is sufficiently indicative of the importance of its contents. The subject, indeed, which it embraces, is at the present crisis especially interesting; as our intercourse with the northern countries of Europe is now entirely cut off, and also because it concerns our existence as a nation, to preserve that naval superiority, which, together with our insular situation, has so long proved a chief, —we may add, the only instrument of our protection.

The work in question commences with an introduction, on the importance of the native growth of hemp, and on the probability of obtaining from India supplies of hemp, or of vegetables, whose fibres may be advantageously substituted for that plant.

"Hemp," Mr. Wissett observes, "is not altogether unknown in India, but its properties are not sufficiently understood. It is at present cultivated for the purpose of obtaining an intoxicating drug. The substance, of which the natives make their cordage, fishing-nets, &c. is obtained from a plant, called by the country name of Sunn, (the *Crotolaria Juncea* of Linnæus), and is prepared in a manner different from the Hemp in Europe. With the view of ascertaining whether this article was capable of being brought into use as a substitute for hemp, the board of trade at Bengal were desirous that a quantity of it should be procured, prepared after the European method; but the natives were not inclined to depart from their established usage. A difference of opinion also arose between the board and Mr. J. Frushard, as to which of those methods was best calculated to give the requisite degree of strength to the fibre.

"Upon referring to the authorities of the best writers on the subject, it appears that they are far from being in unison; it is therefore obvious, that in India this can only be ascertained, either as to Hemp or Sunn, by a course of experiments, and making trials of the various methods that have been laid down, under the sanction of those who are supposed to be the most conversant with the subject. To point out these modes, and to afford

afford the means of contrasting them with each other, as also with the mode practised in India, is one of the objects of the present work." —Introduction, p. 6 and 7.

In prosecuting this undertaking, Mr. Wissett has consulted the most approved authorities, which he has specified. The various particulars selected from these, he has arranged under numerous heads, so as readily to exhibit the instances, wherein they accord or differ in the modes they have recommended;—avoiding, however, unnecessary repetitions, as far as this was practicable. It would far exceed the space limited to this department of our work, to specify all the various interesting particulars comprised in the volume now under our consideration: besides, as works, even of the most important public utility, are, in fact, interesting only to a few persons comparatively, our readers will not, perhaps, expect a minute investigation of this treatise. It is divided into two parts; the *first* of which gives a correct botanical description of the Hemp and Sunn plants, together with information on the soil, culture, saving, subsequent treatment, manner of gathering, average produce, and profit.

The article of profit and loss exhibits a great number of very curious and valuable estimates, both from European, and also from Indian and North American documents, which we reluctantly pass over. Many of them, however, are most *decidedly favourable* to the culture of HEMP and SUNN.

Part II. details the method required to render Hemp and Sunn merchantable, under the respective heads of Drying, preparatory to steeping—Watering, or Retting—Drying, after watering—The modes of separating the fibres from the stems—Peeling—Methods of Scutching and Beetling — and Heckling.

Under these various heads, a great mass of information is comprised, from which we could gladly select numerous passages. We can, however, only give the following, which is the more deserving of attention, as it relates to the Russian mode of preparing Hemp; and the Hemp of that country has long been held in the highest reputation.

"The method of drying in Russia, as given by the French ambassador at that court, is as curiously complicated as their mode of steeping. They tie up the plants in bundles, about the size of a man's thigh at the knee. These bundles are placed upright, supported by a stake in the centre, and then are left one day to drain. The next day they are spread abroad to *dry*; after which they are made up in heaps, and covered over with straw, or hawlin of any kind, to make them *sweat*; and when they have *sweated* enough, they are laid again in small heaps, so that the air may dry them in the shade, by blowing through them; after which they are most effectually dried by fire, kiln, or oven, and immediately put under the breakers whilst yet hot; and, be it observed, that the Livonians say, it is in this operation of *sweating* that the good or bad quality of the Hemp depends."—P. 223.

"Now the method practised by the natives of this country (Bengal) beats both the French and Russian for facility and expedition. They divest the reed from its fibre, immediately from steeping, without drying, by which they avoid the kiln and the oven; which, upon every

every principle of solid reasoning, deduced from all that has been laid down by the societies, has obtained more, not to say solely, for the more readily getting rid of the reed, than for the benefit of the fibre, to which it should seem even prejudicial. The celerity with which the natives get through this business is highly in favour of the strength of the fibre, and of their mode of practice; and should *sweating* be found to answer, it will be found much more congenial to its execution, than the doing it while the fibre be yet on the reed."—P. 224.

From the above extracts, we think, our readers may form a pretty correct idea of the nature of the work now offered to their notice; and as considerable difference of opinion does obviously exist, on the relative advantage of various modes, especially with respect to the Sunn Plant, Mr. Wissett's labours appear to us well calculated to assist in forming a more accurate comparison of experiments, and also of facilitating the growth of Hemp in India.

Before we close this article, it will be proper to notice the valuable Appendix, containing communications from the Right Hon. Lord Somerville, and some other eminent English agriculturists; beside which, accurate plates are introduced in the course of the work, together with appropriate descriptions of the Hemp-plant, and the various processes it undergoes, in order to render it merchantable. A copious table of contents, and a full index, are also given in this volume, which we cordially recommend to the careful perusal both of our European and of our Asiatic readers.

A JOURNEY *from* MADRAS, *through the Countries of Mysore, Canara, and Malabar, performed under the orders of the Most Noble the Marquis Wellesley, Governor General of India, for the express purpose of investigating the state of Agriculture, Arts and Commerce; the Religion, Manners and Customs; the History, Natural and Civil, and Antiquities, in the Dominions of the Rajah of Mysore, and the countries acquired by the Honorable the East India Company, in the late and former Wars, from Tippoo Sultaun;* by Francis Buchanan, M. D. F. R. S. and A. S. S. &c. &c. &c. Cadell and Davies. 1808.

The journey undertaken by Dr. Buchanan, was performed, as is explained in the title, under the auspices and orders of the governor-general of India, and the objects of his mission may be sufficiently collected from the same source.

Our traveller commenced his labour at the beginning of the year 1800, and proceeded first to Madras, which he left on the 23d of April, on his way to Seringapatam. It does not seem necessary to follow him through the intermediate road to that point; whence his enquiries only could proceed, as he informs us, with proper effect, aided by the information of the Rajahs dewan, to whom he deliver-

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ed his credentials on the 18th of May. The Dewan, *Purnea*, is represented as "a person extremely well versed in the affairs of the country," and as enjoying more than ordinary titles and respect. From such knowledge and authority, Dr Buchanan might reasonably calculate on much assistance in his work.

The interval between the 20th of May, and the 5th of June, was occupied in researches relative to the history of Seringapatam, and its neighbourhood, and in enquiries into the state of the agriculture, arts, and commerce of that place.

A description is given of the city, island, and fort of *Seringa*, or as it is termed by our author, (*Sri Ranga*) one of the names of *Vishnu*, and also a short narrative of the storm, capture and plunder of the garrison, at the close of the war with Tippo Sultaun. As all these latter circumstances are fresh in the memory of the reader, it will be unnecessary to relate them, with reference to this new authority. Dr. Buchanan endeavours, commendably enough, to do away some of the reproach of the early acts of the British soldiery, on the reduction of the place, but we are afraid it cannot, consistently with historic truth, be wholly wiped away; though some palliation may be found, not so much in the nature of the spirit which usually prevails at such a moment, and which cannot often be repressed, but in the particular hostility excited by the ferocious and sanguinary acts of the Sultan towards the British troops, that had previously fallen into his hands.

The buildings of Seringapatam are mentioned as mean and irregular; the palace, serving as a residence for the Sultan, and as a warehouse for the reception of a vast variety of goods; for he acted, according to Dr. B., not only as a prince, but a merchant. In both of these characters, he appears to have been equally arbitrary, forcing his government and his wares, upon his subjects, at his own will and price.

After explaining, somewhat minutely, the principles of Tippoo's policy and his mode of transacting business, the author adds an account of the Zenana, gardens, pictures and ornaments of the palace. He describes a cheap mode of decoration in use about this royal residence, which he calls *false gilding*, in which not a grain of gold appears to be employed. The effect is said to be dazzling, but the manner of producing it, though it be particularly noticed, need not be traced.

Speaking of the population, the author says, "that according to the register of the houses, which I received from the *Cutwal*, (the principal police officer) the fort or city contains 4,163 houses, and and 5,499 families, and the *Shahar Ganjam* (a new town in the suburbs) contains 2,216 houses, and 3,335 families. At five inhabitants to each house, we may estimate the population of the city to be 20,815, and of the suburbs, 11,080, in all, 31,895 persons." Again—

"The principal merchant in the place says, that in the reign of *Tippoo*, the Island contained 500,000 inhabitants; he pretends to found his estimate on the quantity of grain consumed. In this calculation, I think he exaggerates grossly, as I see no place where such a number of persons could

have lived. I know, also, that the man, in other respects, is not to be trusted." Why then is his testimony stated?

Our author next takes a short view of the *casts* or *tribes* into which the people are divided.—The great divisions are two: namely, the right and left hand; and these are sub-divided, the first into eighteen, the latter into nine branches. The office of the head of each cast, is, in general, hereditary.

The dominions of the Rajah of Mysore, the districts into which they are divided, the form of the government, and all its particulars are described at length. To this succeeds a description of the state of agriculture.

"The grounds it is said, are of two different kinds; *wet land*, or that watered artificially, and producing what are called *wet crops*, or grains; *dry field*, or that which receives no artificial supply of water, and which produces *dry crops* or grains; and *gardens*, or *Bargout*."

The soil, its properties and product are now considered. On the *water* ground, it appears, there are two crops annually; one in the rainy, the other in the dry season. Rice is the most valuable produce.

The particular properties of the *dry field* and *garden* grounds are in like manner explained; in the latter term is not only comprehended the flower, and kitchen garden, but the *cocoa* nut, and *betel* leaf garden; and there is superadded to this part of the subject, a list of the plants, fruits, and roots, cultivated in each species of garden.

The different ways of sowing rice, and the distinct kinds of it, are specified. This part of the work is exceedingly interesting; but it is too diffuse, to be brought within our compass. Neither is the mode of reaping and preserving the fruits of the harvest, nor the mode of separating the grain from the husk, without its share of interest or use. The enquiry of Dr. B. here is most minute and successful.

The cattle employed in husbandry is also noticed: and the *Buffalo* is sin led out as the most useful in this province. Describing the mode of management of the animal, our author states, "three men, one woman, and two oxen, are required to manage twelve female Buffaloes. One man, with the assistance of two oxen, brings the grass for their nightly consumption; one man collects the various articles of dry food, given to them in the house; and the third conducts them to pasture and drink, and milks them. The woman prepares the milk, and carries it to market."

About noon, the animal throws herself into the water, and leaving the tip of her nose only to be seen, remains there five or six hours. The Buffalo is supposed to drink, throughout the day, from 16 to 24 gallons.

The female Buffalo is fit for breeding at three years of age, and goes with youn nine months. The best males are kept for breeding. Two ploughs wrought by bullocks will perform as much labour as three by buffaloes.

The Buffalo of India is the same with that of Europe, or the *Bos bubalis* of Linnæus—totally distinct from that of the Cape.

The female of the best sort, costs from 1l. 0s. 2¾d. to 2l. 0s. 5½d. Males fit for labour sell from 6s. 8½d. to 1l. 0s. 2¾d. The buffalo will convey a greater weight than a common ox, but is slow

slow in nature and cannot endure much heat.

The author does not dwell on the peculiarities of other species of cattle; but proceeds to the consideration of the different kinds of manures, the hire of servants, and other objects of rural œconomy, and lastly adverts to the markets and manufactures; and the state of the current coin in the country. Speaking of the regulations respecting the latter, he relates this curious circumstance. "The value of the different coins was frequently changed, by the late Sultan, in a very arbitrary and oppressive manner. When he was about to pay his troops, the nominal value of each coin was raised very high and kept at that standard for about ten days, during which time the soldiers were allowed to pay off their debts at the high valuation." Since the place has been in the hands of the English it does not appear that the standard has been fixed, but varies according to the will of the commanding officer.

From the coin the author naturally passes to weights, and measures—which he pursues with nicety.

Under the head of Quarries it is remarked, that the finest stones, in this neighbourhood, are found at *Kingalu Copalu*, and *Cavary Cadu*, near the northern branch of the river.

Fire-wood and timber are represented as dear articles—the fuel most commonly used is Cow dung, made up into cakes.

The process of making them is stated, but it is not requisite, neither would it be a very pleasing task to describe it.

Chap. III.—The author leaves *Seringapatam*, on the 6th of June, on his way to *Bangalore*, and proceeds by stages to *Mundium* and to *Madura*, and *Chinapatam*; he makes few observations, by the way, that are not already made in the preceding chapter. He notices at *Madura*, that only one, instead of two crops of rice, are taken from the same field in the year: "but, in order to divide the labour, part of the rice ground is cultivated in the *hainu*, and part in the *caru* season." At the last-mentioned place, there is a rude manufacture of glass: formed first into solid masses, which is afterwards wrought into small bottles, and ornamental rings for the arms of women. The materials used in the manufacture, and the whole process through which it is conducted, is described with great particularity. Here, also, is manufactured steel wire for the strings of musical instruments, which are held in great esteem.

A particular account is also given of the mode of making sugar, and of all the means and utensils employed in the manufacture of it.

From Chinapatam, the author pursues his route to *Ramagiri*. In the vicinity of this place, and on the range of hills, is a curious race of men, who call themselves *Cat Chensu*. They go nearly in a state of nudity. They live mostly in the woods, and are terrified at the sight of civilized beings. They dwell in caves, or under bushes. The language used by them is a dialect of the *Tamul*.

They live upon game, wild roots, herbs and fruits, and a little grain purchased from the farmers: drugs, honey and wax are exchanged for this The barter is carried on by means of a part of the same tribe, in some sort civilized. But their approach would not be allowed, if they did not previously strip

themselves

themselves of their habits, and reduce themselves to the same wild state with the rest of the tribe. Sometimes, when there is not this medium of barter, it is said, that the articles proposed for exchange are left at the foot of the hill; and the persons bearing them there, go at another time to receive others deposited there in return. This is done without either party being seen.

Magadi is the next place at which the author sojourns.—And here he takes notice of the iron mines, which are said to be not uncommon on the hills; and enters into an explanation of the melting house, the furnace, and forge; and the manner in which they are used—as also of the price of labour, and of the expense and profits of the forges.

The author next penetrates into the woods of the east side of *Savana durga,* better known by the name of *Severndroog*. He seems to have used a great deal of industry in enquiring into the names, and properties of the trees of the forest; of which he renders a copious, and seemingly accurate account.

In the great forests round *Savana durga*, there is a small animal the *Shin-Nai,* or red dog, which fastens by surprise on the neck of the tiger, and kills him. The tiger is, therefore, not common in these woods. A wild dog is also represented, as one of its inhabitants; but it is distinct from the *Shin-Nai*. The former is destructive to sheep; the latter is supposed to be a species of the wolf.

Chapter IV.—Describes the city of *Bangalore,* and its trade; with its fluctuations, which appear to have been singular. At this place Dr. B. remained from the 22d June to the 2d July, but not unemployed. Under this head, the *carriage* of *goods*, the manufacture, and the different species of cloth in use, as well as the art of dying, are treated at length; as is also the process of tanning, with the skins selected for that purpose.

In this chapter we are instructed in the method of computing time above the *ghats*. After submitting a calendar, which marks the corresponding dates in the English almanacks, and the almanack in use here, Dr. B. states—" Although in common reckoning the day begins at sun rise, yet this is by no means the case in the Chandamanram almanack. Some days last only a few hours, and others continue for almost double the natural length." Again " some days are doubled, and some altogether omitted. Every thirtieth month, one intercalary moon is added, to remove the difference between the lunar and solar years."

To this is subjoined a short remark on the *Panchangas,* or almanack makers, a set of poor, ignorant Bramins, not more in reputation than the almanack makers of other countries; but more in request, as they regulate the observance of religious ceremonies in all *Hindu* families.

Dr. B. directs himself in this place, to the consideration of the different casts, and the peculiarities of their customs.

Chapter V.—In this division of the work, the progress of the author, from Bangalore to *Doda Balapura* is noted; in which he describes, as in the former parts of his journal, the face of the country, its produce, and its manufactures, The *Lac* insect is particularly noted in this chapter, and the trees on which it feeds.

Chapter VIth. Conducts our traveller to *Sira.* In this, as in the succeeding chapter, Dr. Buchanan gives a history of different religious Sects, and their ceremonies; and, as in other places, no scanty information on the state of agriculture.

Sira is described as once the seat of a wide-extended government, but reduced, in process of time, to an inconsiderable place, by the conquest of *Hyder.* At one time, it contained 50,000 houses. Twelve thousand of its inhabitants were removed, by Tippoo, to *Shahar Gangam*, a new town, as we have already mentioned, in the vicinity of Seringapatam.

From *Sira* the author returns, by a different course, to *Seringapatam*, which is particularised in the eighth chapter, that treats even more particularly, than the preceding chapter, of cattle and their keepers. Of the latter we receive no very prepossessing account. They live, it seems, in small villages in the skirts of the woods, and are represented as dirty people, wearing no cloathing, but a blanket, and sleeping, generally, among the cattle; which joined to a warm climate, and rare ablutions, with vermin, itch, ring-worms, and other cutaneous disorders, render them very offensive.

The cattle, committed to the care of these unseemly guardians, are specified with some care, and are represented on plates, engraved for the work.

In speaking of the Betel-nut Gardens, the monkies and squirrils are stated as very destructive to the growth of trees; but it is reckoned criminal to take them. They are under the protection of the *Daseris*, and when one of these mischievous animals are killed, the *Daseries* assemble around the guilty person, and allow him no rest until he bestows a funeral on the animal, which will cost from 100 to 200 fanams, according to the number of *Daseries* assembled. This further curious circumstance is mentioned.

The proprietors of the gardens used formerly to hire a particular class of men, who took these animals in nets, and then, by stealth, conveyed them into the gardens of some distant village; but as the people had recourse to the same means, all parties became tired in time of this ingenious practice.

The Temple of *Chillapulla Raya*, and the jewels belonging to it, are mentioned in this chapter. The account of the foundation of this idolatrous place of worship is extraordinary enough, but not more so than the fate of the jewels with which it is endowed. Tippoo, with all his disregard of the Hindus, and their superstitions, was afraid, it seems, to appropriate the wealth of this pagoda, though it was constantly kept in his treasury, and taken out, when it was necessary to display it, on occasions of festival. The British captors, too, on the storming of Seringapatam, respected, and spared, this very fortunate property.

The Reservoir of *Yadavi Naddi*, and the means taken by Tippoo to destroy it, are related in all their circumstances, and form the most interesting particular in the chapter.

Chapter VIIIth. The author pursues his journey, through the medium of this chapter, through the part of *Karnata*, south from the Cavery, towards Malabar. In this portion of the journal, we have an account of the Santalum Album,—*Sandal* wood, and of the elephant.

elephant. The latter is caught, as it is here stated, in a pit-fall, and not in folds, as in Ceylon and Bengal.

Dr. Buchanan names forty species of trees in the forest of *Hejeru*.

There is a curious tribe of people, who inhabit the adjacent parts. They are employed as husbandry servants, or as watchmen of the fields at night, to keep off elephants and wild hogs; they are called *Cad'Curubaru*. They drive the elephants away by a lighted torch of bamboos, with which they strike the forehead of this huge animal; the wild hogs are driven from the fields by slings. This tribe have dogs, with which they catch deer, antelopes, and hares, and they have the art of taking in snares the peacock and other esculent birds.

In case of adultery, it seems, the husband flogs his wife severely, and, if he be able, beats the paramour; if he be not able, he applies to the *Gauda*, who does it for him. The woman has then her choice of following either of the men as her husband.

Chapter IXth. This puts the author on his route from the *Kaveri pura* Ghat to *Coimbetore*.—With the usual intelligence communicated by our traveller, we have here introduced to us another wild animal, the *Black Bear*, which is said to abound in the hills. They live chiefly on white ants and wild fruit. If a man disturbs the animal, or come suddenly upon him, he will kill, but not prey upon him. He is not afraid of the Tiger: he lives in caves and holes under stones.

The report on the agriculture of the country, the rent, and matters connected with it, is full and interesting. Nor is the author less communicative, or exact, on the history, and the statistical account of *Coimbetore*, with which this chapter concludes.

The next (the Xth Chapter) leads to the *Frontier* of *Malabar*, in which the sheep of *Coimbetore*, generally esteemed in India, are specifically classed, and described; to which is added, the manner of managing them.

The nature of the Poligar government, and the rents of the districts are considered; and the summary mode of administering justice, which, though short, is exemplary; conveying a very important lesson.

Chapter XIth. *Journey* through the *South of Malabar*. Dr. Buchanan here enters into the nature of slavery obtaining in this province, by which the greater part of the labour of the field is performed.

The detail is not uninstructive, nor undeserving the attention of those to whom it is addressed.—Here would seem much to interest both the philosopher and politician.

Some information is given here of the *Nazarens*, or *Malabar Christians*, a very orderly, industrious, and humane race. As also of the *Nairs*, with their peculiar doctrines, sexual intercourse, and extraordinary mode of succession.

Chapter XIIth, traces the route of the author, from *Valiancodu* to *Coduwully*, through *Panyani*, and the central parts of Malabar; and conveys much intelligence on the cultivation and growth of pepper, and a scheme for the monopoly of that article by the East India company.

The

The Northern part of Malabar is noticed in the XIIIth Chapter, and differs not very materially from the Southern, in several of its leading institutions.

The changes in the government of Malabar are specified on the authority of Mr. Brown, who seems to have possessed the necessary information for that purpose.

Cananore, or *Canaru*, engrosses, as it should, a great deal of the author's attention, which is discovered in the history, given in this chapter, of the *Biby*, and the strange customs and manners there prevailing.

The materials selected in the journey through the Southern parts of *Canaru*; from *Mangalore* to *Beidaru*, through the Northern parts of Canara; from the entrance into *Karnata* to *Hyder Nagara*, through Soonda and *Ikeri*; from *Hyder Nagara* to *Heriuru*; from the latter place to *Seringapatam*, and thence to Madras, form the detail from the XIVth to the XXth Chapter inclusive.

All of these chapters contain much original information; but on topics before enumerated.

Our limits will not allow us to go more particularly into them at the present moment.

From the number and variety of the subjects proposed to be investigated, and through the agency of an individual, it would be unreasonable to expect, in the result of the enquiry, now in the reader's hands, more than a superficial information on the several, and dissimilar heads. The author cannot be charged with temerity, for adventuring on so large a range, since the plan originated not in his own choice, but in the orders of his superior. From the nature and form of the instructions, which are specified in the introduction, it would seem that nothing more was anticipated, than the collection of certain imperfect materials, to be wrought up, by subsequent process and art, into a more complete and useful form.

Dr. Buchanan is sent, as it were, on a voyage of discovery, to a new region, by which succeeding adventurers might be taught to shape their course, and enlarge the sphere, or boundaries, of the original navigator. It never could have been imagined, even by the most sanguine, that all the riches of the countries, ordered to be explored, could be gathered, and brought home at one time, and by one vehicle.

Regarding the plan itself, and the attempt to execute it, as having a rational limit, and that neither the one nor the other looked farther than the realization of means for further and more specific enquiry; it may be safely pronounced that they have both succeeded to that given extent.

It may be said, and, indeed, it is admitted by the author, that the information he had obtained might have been submitted to the reader in a better form, and with more method. Dr. Buchanan observes, in his introduction, "that he wished to have abridged, and altered the arrangement of his work, before publication;" but that it had been committed to the press, by the Court of Directers of the East India company, before his arrival in this country; when it was too late for him to do any thing more than revise part of the manuscript, and supply an Index.

Allowing for the original defect in the construction, or design, of the work, it may be termed as perfect as its nature would permit. In a Journal or Narrative of Daily Transactions and Discoveries, he must necessarily be disappointed, who expects more than desultory and irregular details.

Dr. Buchanan has collected much important matter, and has communicated it in an easy and familiar way; and while he appears not to have neglected any part of his instructions, he has introduced much incidental information in excess of his prescribed labour. This latter, perhaps, is the more amusing, though not the most accurate or useful part of the work.

Some of the sources of know-

h[illegible], to which the author was directed, appear, in his own judgment, to have failed. But of these he had formed, as it should seem, an unreasonable and unnatural estimate. He expected, for instance, to have obtained from the farmers an exact statement of the actual product of their farms, and of their capability of improvement, without considering that the private interest of these persons would induce them, with the fear of an increased rent before their eyes, to conceal the true produce. Particular and adverse interest, in the party required to give evidence, is an universally-admitted objection to his testimony.

Dr. B. himself, from the application of the same principle, might not be taken to be an unexceptionable witness, on the same subject,—since it is his obvious interest to advance the value of the soil. If there be any part of the work, which we could wish to have been omitted, it would be that, which is filled with complaints against these native sources of intelligence. How great a portion of the volumes before us depends on this single unsupported authority? We believe that no Indian traveller before has derived so much information from such sources, and certainly none who has made a better use of it.

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